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THE
DECLARATION

Of the Commission of the
GENERAL ASSEMBLY,

To this whole Kirk and Kingdom of
SCOTLAND
Of the fifth of *May*:

Concerning the present publike proceed-
ings towards an engagement in Warre, so
farre as Religion is therein concerned.

TOGETHER

With their Desires and Petitions to the Honoura-
ble Court of Parliament, The Parli-
aments Answers.

Their humble Returnes and Representations, and
other Papers that may give full and cleare
information in the matter.



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A DECLARATION

Of the COMMISSION of the GENERAL
ASSEMBLY, to this whole Kirk and Kingdome,
concerning the present publike proceedings
towards an engagement in Warre, so farre as
Religion is therein concerned.



OD onely wife, who is *wonderfull in counsel and excellent in working*, whose thoughts are not like mens thoughts, nor his wayes like mens wayes; Who sometimes by weak and unlikely meanes, and often by contrary meanes, useth to work out the greatest works of his glory, and the greatest salvation to his people: After he had broken the Egyptian Antichristian yoke, first in this, then in the neighbour-Kingdome, *with a mighty hand and a stretched out arm*; and had also brought us through a *red Sea* of a bloody opposition and Warre; yea, after we were near the wished for Reformation and Peace, He hath againe reduced us to such extreme difficulties and dangers, as makes many in their haste apt to wish they had not come out of Egypt, or that they were returned thither againe. How great and how many soever our dangers be, *The Lord is righteous in all his wayes, and holy in all his works*, and he hath punished us lesse then our iniquities deserve. Among many other provocations, that of Sinfull compliance is one, which the present judgements of God in both Kingdomes do more especially and more distinctly proclaime and speak out (*Eccho-wise*) unto us. *Seditaries* in the one hand, and *Malignants* in both, were so much connived at and complied with, that God hath most justly made them on both sides to be thorns and scourges to these that cherished them when they should have suppressed them. But as we will beare the indignation of the Lord, because we have sinned against him: So we

encourage our selves in our God. and trust, that when he hath humbled and proved his people, he will do them good in their latter end. Blessed are they that wait for him, and live by faith; and keep their garments clean, for they shall *see the good of Jerusalem, and peace upon Israel.* Yea, God shall work so much good out of all the greatest evils which now afflict them, that they shall say in end, We had perished, unlesse we had perished; and the work of God had not been done, if it had not been undone.

It is one door of hope to us, that God hath raised up the spirits of many of his servants in divers places and Provinces of *England*, to joyne together in witnessing a good confession, and giving a fair publike testimony for the truth of Christ, for the Covenant, for the Presbyterial Government, and against that abominable Toleration of most dangerous Errors, Heresies and Schismes. These *Testimonies* we have seen to our great joy and comfort, and have beene much refreshed thereby; trusting, that so many publike Testimonies as have been given in both Kingdomes for the Covenant, and against the Toleration of Heresie or Schisme, shall not be in vaine, but that God shall lay open those that resist the truth, so as *they shall proceed no further, but their folly shall be made manifest unto all men.* And we not doubt, but that such shoutings shall be heard among the Churches of Christ: Shame, shame upon the way of the Sectaries! Grace, grace upon that Covenant and Reformation which the Sectaries opposed!

Our present work is at home, To give an Antidote against these Malignant designs now brought to so much maturity: and withall to clear our owne late Proceedings, which some are content to misunderstand, except they also misrepresent them to as many others as they can; yea some are so skilful in coyning, others so bold in out-
ing, and a third sort so weak and simple in believing lies and calumnies, that every conscientious man hath cause to pray at this time, *Deliver my soul, O Lord, from lying lips and from a deceitfull tongue.*

That we may therefore lay more open the truth of matters, we shall not now so farre runne the back-trade, as to insist upon the rise and progresse of these present evils, nor upon the grounds of our former feares and apprehensions of dangerous and malignant designs heretofore on foot: It shall be sufficient at this time to make known the late passages, since we received His Majesties Letter dated

ted at *Carisbrook Castle*, *December 27. 1647.* together with a Narrative in writing of his Majesties concessions and offers concerning Religion, and what his Majestie is content to do for this Kingdome (*upon a good agreement*) under which expression we know not how much may be comprehended. That Letter and Narrative, together with the reports which then this Kingdome was full of, that his Majesty had given satisfaction to the publike desires concerning the Covenant and Religion (thereby to make the people secure, and the better to animate them unto an engagement in his Majesties quarrel) did minister occasion to our late *Declaration*, which although extremely opposed and maligned by such as found their projects thereby crossed, yet hath found such generall and good acceptance in this Kirk of *Scotland*, that we have already received not onely from divers Presbyteries, but from the most part of the Provinciall Synods, most affectionate Letters of thanks for the same; as namely from the Provinciall of *Lothian and Tweeddale, Eysse, Menfe, and Tiviotdail, Perth and Stirling, Angus and Mernes, Glasgow and Air, Dumfries, Galloway, and Aberdeen*: And we doubt not but that the few other Provincials would have done the like, but that being in more remote places, they had not the opportunity to be so soon acquainted with the condition of publike affairs.

Not long after the emitting of that Declaration, we were desired, upon the 15 of *March*, by the Committee of Parliament to appoint some of our number to conferre with their Lordships, which we did: But upon the 17. of that moneth, understanding that a Vote had past in Parliament upon the 16. concerning *Berwick and Carlisle*, (which Vote as it was dissented from and protested against by divers Members of Parliament who have beene most zealous and constant since the beginning, so we conceived to be a predetermining of the subject of the Conference, and to be of exceeding dangerous consequence to the cause of God and ends of the Covenant) We were thereupon discouraged from entertaining that Conference, and so resolved to delay it till we should give further Order to those of our Number appointed on the Conference.

After this, upon the 22. of *March*, we did, for our owne exoneration, and for a cleare understanding between the Honourable Court of Parliament and us, represent to their Lordships, eight humble desires, whereupon the same day we were invited to a new conference with some of their Lordships which did not produce the
wished.

wished effect and satisfaction which we were waiting for. Upon the 28. of *March* we received the Parliaments answers to our eight Desires, which leaving us still unsatisfied, did occasion our humble Representation of *March* 29. whereunto we received no other answer, but a desire of Parliament sent us the next day, for a conference upon our said Desires, and the Parliaments answer thereunto, and also upon the state of the Question and whole matter. But as we were willing to conferre upon our 8 desires, and the unsatisfactoriness of the Parliaments answers thereunto, so till we should receive a clear and real satisfaction to these our desires, we Declined a Conference upon the state of a Question for Warre, for the grounds and reasons expressed in our paper of the 30 of *March*, and did accordingly give order to those of our number appointed to conferre. But the power given to the Committee of Parliament, containing nothing of further satisfaction to be given to our desires, that their Conference (after some time spent in debates) proved no lesse ineffectuall then the former two.

Upon the 11. *April*. It was Ordered by the Parliament, that the demand concerning Religion, thought fit by their Lordships to be sent to the Parliament of *England*, should be communicated unto us: whereunto we returned an answer by our Paper of the 13. of that month. And that we might leave no meanes unessayed for satisfaction in those particulars, (wherein most part of the Provincial Synods hath joyned with us in supplications to the Parliament) without which, many others, as well as our selves, could not be satisfied in conscience to concur in the Engagement) We did by our Petition of the 18. further insist with their Lordships in all humility and earnestness for satisfaction to our desires, and to be cleared upon the whole matter. Unto all which we have received no other answers for the satisfaction of our consciences, but the Paper delivered in to us from the Parliament upon the 20. of *April*, together with their Lordships Declaration, unto which we were remitted for satisfaction in most things we had desired. But how great reason we have to be still unsatisfied, will appeare by our Answer to their Lordships paper of the 20. of *April*, and by our humble Representation upon the Declaration it selfe, expressing more fully our sense of the whole matter: and although we might have justly desired some weeks for deliberation about an Answer to so large and so premeditate a Declaration concerning things of so high a nature, yet we made

made much haste, that our *Representation* thereupon was fully agreed and concluded among us upon the eight day after we received the *Declaration* it selfe.

If the Honourable Estates of Parliament had been pleased to delay the sending away of their demands to *England*, and the publishing their *Declaration* to this Kingdom, till they had received and considered our Humble *Representation* thereupon, We know not but it might have, by the blessing of God, conduced much to the preventing of great and sad inconveniences. But now their Lordships *Declaration* being emitted as it is, we have too much cause to feare, that the Malignant party shall make use of it to the enflaming of many, unlesse timous warning and information be given them. For our part, it hath been our endeavour (which we are confident is desired with us by all the well-affected both in Church and State) that there may be no rupture in this Nation, but a firme union and conjunction upon the first principles and grounds of engaging in this cause. And as we have not been tenacious of words, but of things, nor of any other things but such as highly concerne the glory of God, solemn Covenants, and the good, safety, and security of Religion: so we shall be blamelesse before God, Angels and men, of all the evils, distractions and confusions, which may follow upon or be occasioned by the not satisfying of so just and necessary desires.

And now for the result of the whole busines: As we were before, and still are ready to consent and agree to the engaging & acting in war, if we were satisfied in our consciences concerning the grounds of undertaking, and the means and ways of prosecuting the same, and concerning the other particulars contained in our Papers presented to the Parliament: So not being satisfied in those, and looking upon the war as it is now stated, matters standing as they do, and the whole complex businesse taken together, We cannot but (with all dutifull respect & honour both to his Majesty and to the Estates of Parlia.) plainly dissent and differ from the same, being so far from a cleer satisfaction in our consciences concerning the lawfulnessse and necessity of a War, upon the grounds and in the manner expressed in the Declaration of Parliament, that contrariwise we are cleerly persuaded in our consciences, it is an engagement of most dangerous consequence to the true reformed Religion, both in Doctrine, Discipline, Worship and Government, prejudiciall to the due interest

rest and liberty of the Kirk ; favourable and advantageous to the Popish, Prelaticall, and Malignant party : inconsistent with the union of the Kingdom , and the satisfaction of the Presbyterian party in *England* ; and therefore contrary to the Word of God, to the Solemn Covenants , first Principles and publique Professions of this Kirk and Kingdom, and a remedy worse then the disease, and a course whereupon we cannot expect a blessing from God. For which reasons (exprest more fully and particularly in our Representation upon the late Declaration of Parliament) we cannot in our consciences allow either Ministers in their places and callings, or any others whatsoever, to concur and cooperate in the Engagement : but trust, that all that have in them true tenderesse of conscience, and tremble at the Word of God , will by his grace and assistance keep themselves unspotted and free in this busines, and will choose affliction rather then iniquity, and take their hazard of suffering rather then of sin, believing that the wrath of man shall turne to the praise of God, and *the remainder of wrath He will restrain.*

We know there is much zeale pretended for the ends of the Covenant, uniformity of Religion, suppression of Sectaries, and the like : But the more pretence be made of Religious ends, the Malignant designes varnished and painted therewith are unto God and good men so much the more hatefull : Doth the same fountain send forth both sweet water and bitter ? Or how can true zeale against Sectaries, lodge in one breast with zeale for Malignants ? Besides, if Religion and the Glory of God be now chiefly aimed at, what meaneth the refusing of that satisfaction and security which hath been desired for Religion ? And if there be such zeale against Sectaries in the Engagement, what meant it, that not long ago, when the dangers of the true Reformed Religion in this Kirk, from the prevalent party of Sectaries in *England* were remonstrat by us to the honourable Committee of Estates ; it was pleaded by some, who now are most active and forward for an Engagement that this Kirk and Kingdom was in no such danger from the Sectaries in *England* and the Army there, as might be any cause of not disbanding the Army in this Kingdom. And is this candid or faire dealing, to extenuat or elevate dangers from Sectaries, so as may best serve mens present busineses ? Or it the design at that time was to disband that Army, as to make up another of their own modelling, why was this so much disclaimed when mentioned among our feares and apprehensions in

our Romonſtrance, *Octob. 13*? However it ſeems the thing then ſuſpected is now begun to be acted, and it is too aparent that our former feares were not without ſome real ground.

As to any calumnies or aſperſions caſt upon our proceedings by Malignant and diſaffected perſons: As our conſciences before God, ſo the very courſe of our proceedings before men doth cleerely wipe them off. And becauſe we have here onely ſummarily pointed at things, we ſhall for the cleerer underſtanding of all, refer to the ſeverall Papers themſelves herewithall publiſhed and made known to all the people of God in this Land, that they may *prove all things, and hold faſt that which is good*. We do not doubt but upon a ſerious ſearch into the particulars, al that do ingeniouſly ſeek after ſatisfaction ſhall find it: And as it will appeare by the particular Papers, that we have not medled with Civil buſineſſes, but only with ſuch things as meerly concern the ſafety and ſecurity of Religion; So we leave it to the conſciences of all the wel-affected in the Land, whether they will give more credit and belief to the profeſſions and informations of ſuch as were ſtrangers and enemies to the work and cauſe of God in the beginning, or of thoſe who have given conſtant and real proof of their integrity in this cauſe from the beginning? We truſt, God will diſcover more and more the myſtery of Malignancy now ſo ſtrongly working; manifeſt the innocency and ſincerity of his ſervants; deliver his people out of the preſent ſnares and guid them in a right and ſafe way: which afterwards ſhall be no grieve of heart, but matter of peace and comfort unto them.

A. K E R.

The Parliaments Answer to the Declaration of the Commiſſion of the General Aſſembly of the firſt of March.

9. Martii. 1648.

The Declaration of the Commiſſion of the Generall Aſſembly produced by Mr. Robert Dowglas accompanied with divers of the Miniſtry and Ruling Elders, read in audience of the Parliament.

THE Eſtates of Parliament acknowledge, and takes well the continuance of their correſpondence in communicating this
B
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counsell or advise to the Parliament; and remits the same to be considered in their severall bodies: but the Parliament desires in the mean time, till the return of their answer (which they will do with all possible speed) that the Commissioners of the Church would take no course for publishing or divulging the same. And declares that as they conceive, this offer of Councell from the Church to the Parliament, doth not derogate from Parliamentary power and liberty: So by this delay or answer they do not mean any wayes to intrench upon the priviledge due to the Church or Commission thereof: Their intention being meerly for preservation of unity and good correspondence betwixt them. *Extractum.*

Alex. Gibson, *Cler. Regist.*

Answer of the Commission of the General Assembly to the Parliaments Paper of the 9. of March.

Edinburgh 10. Martii, 1648.

THE Commission of the Generall Assembly, having this day received under the hand of the Clerk Register, the desire of the Honourable Court of Parliament, concerning their Declaration presented to their Honours yesterday.

Do humbly returne this Answer.

AS we acknowledge it to be a great favour, that the Honourable Estates of Parliament do take well the continuance of our correspondence, in communicating our counsell and advice to their Honours; and that they professe their intention for preservation of Unity, and good correspondence betwixt their Lordships and us, without intrenching any wayes upon the Priviledge and liberties of the Kirk. So we are necessitate humbly to represent to their Honours, that their desire to us, (to take no course for publishing or divulging the said Declaration till the return of their Answer) is such that this Kirk hath not been formerly acquainted with the like: Neither can we be answerable to the trust put upon us by
God.

God and the Generall Assembly, if we neglect or delay to emit and publish this Declaration, unless we had assurance (which we have not) that there should be no danger to the cause by the delay: Otherwise we come under great guiltinesse, if we neglect to give timely and due warning not only to their Honours, but also to the whole Kingdome, as God requires of Watchmen in time of evident danger: Which made us, as before in like cases we have done, to resolve upon the Printing of the said Declaration before we knew any thing of their Honours desires for not publishing it.

Thus having exonerated our own consciences, We humbly desire their Honours to rest confident, that as we are carefull to keep the liberty of the Kirk, so we shall be most unwilling to give to their Honours any cause of offence.

A. K E R.

The Dissent and Protestation of some Members, of Parliament, upon the Vote of Parliament of the 16. March, concerning Berwick and Carlisle.

W Hereas we have earnestly desired and pressed that no power be granted to any Committee to do, act, or order any thing which may engage this Kingdome in a Warre, before the Parliament resolve on a Warre, and state the cause and the ends thereof: It being in our judgement, neither agreeable to the Oath of Parliament, and tenour of Commissions from Shires and Burghs nor to the act of Parliament, 1640. against the Lords of the Articles, it being also of dangerous preparative, and much derogatory to the Liberties of the Kingdoms and Priviledges of Parliament: And most of all it being of exceeding dangerous consequence to the cause of God, and the Ends of our Solemn League and Covenant; We do therefore dissent from the granting of any such power, and do protest, that we may not be included in any such Vote or Resolution, but may be free before God and man of all the guiltinesse, prejudices and evils that may follow thereupon to the Cause, Covenant and Religion, to the Kings person and Authority, to this Kirk and Kingdome, or to the Union betwixt the Kingdoms.

Edinburgh 22. Martii, 1648.

To the Right Honorable the Estates of
PARLIAMENT, The humble Desires of the
Commissioners of the General Assembly,

W Hereas we were desired to appoint a conference with some of your Lordships which did go on towards an agreement, till it was obstructed by a Vote of Parliament of the 16. of this instant; And having already shown by our Papers of the 17. and 20. the reasons of our not proceeding in that conference, and that the cause was not in us: We do now as the servants of *Iesus Christ*, for our own exoneration, for preventing of mistakes, and for a cleare understanding between your Lordships and us, represent these our humble desires which we recommend to your Lordships serious thoughts.

I.

That the grounds and causes of undertaking a Warre may be cleared to be so just, as that all who are well affected may be satisfied in the lawfulnessse and necessity of the engagement, and that nothing be acted in reference to a Warre, before the lawfulnessse of the Warre and state of the Question be agreed upon.

II.

That, as the breaches of the Covenant by the prevalent party of Sectaries are evident, so we desire and hope, that according to the Treaty it may be condiscended upon, and declared by the Parliament, what are those breaches of Peace which they take to be a ground of War, and that reparation thereof may be sought.

III.

That there may be no such quarrel or ground of the War as may break the Union between the Kingdomes, or may discourage or disoblige the Presbyterian party in *England* who continue firme in adhering to the League and Covenant.

IV. That

That if the Popish, Prelaticall, or Malignant party shall again rise in Armes, this Nation and their Armies may be so farre from joyning or associating with them, that on the contrary they may oppose them and endeavour to suppress them, as enemies to this Cause and Covenant on the one hand, as well as Sectaries on the other.

V.

Seeing your Lordships undertaking should be in the first place for Religion; We desire that his Majesties late Concessions, and offers concerning Religion as they have been by the Church, so may be by the Parliament declared unsatisfactory, whereby your Lordships may give further evidence of the reality of your intentions for the good and safety of Religion.

VI.

That your Lordships may be pleased not to fix or settle upon any such state of a Question, as doth not containe security to be had from his Majestie by his solemn Oath under his hand and seal, That he shall for Himselfe and his Successors, consent and agree to Acts of Parliament enjoyning the League and Covenant, and fully establishing Presbyterian Government, Directory of Worship, and Confession of Faith in all his Majesties Dominions, and that his Majesty shall never make opposition to any of these, or endeavour any change thereof: And that this security be had from his Majesty before his Restitution to the exercise of his Royall power, Which desire we propone for no other end, but because we cannot see how Religion, which hath been, and we trust shall be, the principal end of all the undertakings of this Nation, can be otherwise secured, but that without this security, it shall be left in very great hazard.

VII.

That for the same end of securing Religion (which is professed to be the principal cause of engagement) and for securing all other ends of the Covenant, such persons only may be intrusted by your Lordships to be of your Committees and Armies, as have given constant proove of their integrity and faithfulness in this Cause, and against whom there is no just cause of exception or jealousy; That so we may the more confidently encourage our Flocks, and Congregations to follow the Cause of God in their hands, and not to doubt of the fidelity of those who shall be entrusted by your Lordships.

VIII.

That there may be no engagement without a Solemn Oath, wherein the Church may have the same interest which they had in the Solemn League and Covenant, the Cause being the same.

All which desires being duely pondered by your Lordships in an equall balance, will we trust be found just and necessary, and do not doubt but satisfaction from your Lordships therein may be a happy and effectuall meanes, for facilitating the state of the Question, and for uniting this Nation in an unanimous undertaking of such duties, as are requisite for the Reformation and defence of Religion, the Honour and Happinesse of the King, the Peace and safety of the Kingdomes.

A. K. R.

Edinb. 27. March, 1648.

Answers of Parliament to the Desires of the Commissioners of the General Assem- bly represented by them to the Parliament.

THE Estates of Parliament now convened in this first Session of the second Trienniall Parliament, having considered the desires of the Commissioners of the Generall Assembly, represented to them. They after full debate and consideration concerning the same for answer to the first desire.

1. Declares that the grounds and causes of undertaking of war, shall be cleared to be so just, as that all who are well affected may be satisfied in the lawfulnessse and necessity of the engagement. And declares that they will be very carefull, that nothing be acted in reference to a warre during the conference, and untill the same be reported to the Parliament.

2. Item, For answer to the second desire. The Estates of Parliament thinks fit, that the breaches of the Covenant and Treaties be represented, And the seeking of Reparation, and the best time and manner thereof considered, and appoints the Committee of twenty foure, or such of their number as they shall appoint to do the same.

3. Item, For answer to the third desire. The said Estates of Parliament

ment declares, that this Kingdome will be so farre from making warre against the Kingdome of *England*, That any engagement they shall enter into, shall be for strengthening the union betwixt the Kingdomes, And for encouraging the Presbyterians and well-affected in *England*.

4. *Item*, For answer to the fourth desire, The Estates of Parliament agrees to the substance and matter of this fourth desire. And remits to these who are to be upon the conference for stating the question, to explaine the same.

5. *Item*, To the fift desire. The Estates of Parliament for answer to this desire, declares, That upon the agreement on the haill matter and state of the question, they will declare his Majesties concessions, concerning Religion not to be satisfactory.

6. *Item*, to the sixt desire. The Estates of Parliament for answer to this, declares, That since Religion hath been, and they trust ever shall be the principall end of all the undertakings of this Kingdome. So they will be carefull that the present question to be stated, shall containe security and assurance to be had from his Majesty, be his solemne oath under his hand and seale. That he shall for himselfe and his Successors, give his Royall consent to passe acts of Parliament, enjoyning the League and Covenant, establishing Presbyterian Government, the Directory of worship, and Confession of Faith in all his Majesties Dominions, and that his Majestie shall never make any opposition to any of these, nor indeavour any change thereof. And as to that clause, *viz.* That this security be had from his Majestie before his restitution to the exercise of his Royall power. The Estates of Parliament remits this to these on the conference, And who shall be appointed for drawing up the state of the question, To find out some more smooth expreſsion in place thereof, with the like security to Religion.

7. *Item*, to the seventh desire. The said Estates of Parliament declares that they will be carefull that none shall be employed in the command of their Armies, nor in their Committees, But such as are of known integrity and affection to the cause, and against whom there is no just caule of exception.

Item, To the eighth Article or Desire, The Estates of Parliament declares, That to the grounds of their engagement and undertaking an Oath shall be subjoynd wherein both in the framing of it and otherwayes the Church shall have their due interest. And the
Estates

Estates of Parliament desires the Commission of the Church, To appoint some of their number to meet with such of that Committee of Parliament of 24. As shall be appointed by the same Committee for the conference and stating of the question, for agreeing upon the grounds of an engagement, and drawing up such a state of a question as may unite this Nation in an unanimous undertaking of such duties as are requisite for the Reformation and defence of Religion, the safety, honour and happinesse of the King and his posterity and the good of this Kingdome. *Extrakt forth out of the Books of Parliament, By me Sir Alexander Gibson of Durie Knight, Clerk of his Majesties Registers Councel and Rolls under my signe and Subscription Mannel.*

Alex. Gibson, Cler. Regist.

Edinburgh. 29. Martii. 1648.

**A humble Representation of the sence of
the Commissioners of the General Assem-
bly, To the Honourable Estates of Parli-
upon their L^{ds}. Answer to the eight Desires
lately presented to their Lordships.**

HAVING received yesterday the Answer of the Honourable Estates of Parliament to our late Desires presented to their Lordships upon the 22. of this instant; We did immediately take to our consideration the particular answers given thereunto; And now without any longer delay do humbly represent to their Honours our sence of the Particulars.

1. As to the Answer of the first Desire, we conceive that notwithstanding any thing expressed in your Lordships Answer there may be an acting in reference to a warre before the lawfulnessse of the Warre and the state of the question be agreed upon, which is the very thing we did desire to be avoided.

2. In the Answer to our second Desire, we neither finde any breaches of peace between the Kingdomes which may be a ground of war,

war, condescended upon, nor any positive resolution of the Parliament to seek reparation thereof according to the Treaties, yet both these were desired by us.

3. In the answer to the third desire, instead of that clause of the desire, *The Presbyterian party in England, who continue firme in adhering to the League and Covenant*, we finde this change of expression in the Answer, *The Presbyterians and well-affected in England*; which as the words stand may intimate and suppose, that there are some well-affected in England, which are not of the Presbyterian party, nor do adhere to the League and Covenant.

4. Our fourth desire for not joyning or associating what the Popish, Prelaticall or malignant party, if they shall againe rise in Armes, and that it may be endeavoured to suppress them as enemies to the cause and Covenant on the one hand, as well as Sectaries upon the other; being so just in it selfe, so consonant to the former principles and professions of this Kirke and Kingdome, since their first engagement in this cause; and being also as cleare both in the matter and expression, as the Covenant, Treaties, and Declarations of both Kingdomes, we cannot conceive wherein it needs explanation. or what doubt or scruple can be made concerning it as it stands, unlesse there be now some more favourable and friendly intentions towards the malignant party then formerly, which we pray the Lord to avert: And although it is too manifest that some plead for Malignants, as if they were to be joyned with as friends, rather then avoided as enemies to the cause (whereof we have spoken more fully in our late Declaration) yet we trust that any such deligne is and shall be far from the thoughts and intentions of the Honourable Court of Parliament.

5. Touching the 5. Desire, as your Lordships answer seems to suppose his Ma^{ties} late concessions concerning Religion, not to be satisfactory, so these concessions being so prejudicial to the cause & Covenant; We wish your Lordships had been pleased to declare against them both positively without any condition, and presently without any delay.

6. In the answer to the sixth desire, as theris much said in the first part for security of Religion to be had from his Ma^{ties}, so that clause, viz. *That this security be had from his Majesty before his restitution to the exercise of his royal power*. not being agreed to by your Lordships, but rather laid aside untill some smooother expressions be found out; We are left unsatisfied in that which is the maine of that desire, and cannot be assured of any security expressed in the first part of your

Lordships answer. If your Lordships had been pleased to condescend upon another expression containing as good and as reall security for Religion, wee should have acquiesced therein without sticking upon words; but there being no other expression yet condescended upon, and that clause of ours (without which the whole desire is left uncertain) laid aside for the present; We cannot finde our selves therein satisfied as yet.

7. The answer to the seventh Desire, concerning such as are to be trusted in Armies, and Committees, doth omit some of the qualifications expressed in our Desire, viz. *Such as have given constant prooffe of their integrity and faithfulness in this cause, and against whom there is no just cause of jealousie, that so we may the more confidently encourage our stockes to follow the cause of God in their hands, and not to doubt of their fidelity;* Which qualifications being contained in our Desire, and omitted in your Lordships Answer; We are not without feares that this commission may be made use of by some, as if your Lordships had not meant to agree fully to that desire, and so take occasion to deale for employing and entrusting such in the Committees and Armies, as may be justly excluded by the qualifications contained in our said Desire.

In the answer to the last Desire, in stead of that cleare expression used by us, namely, *That the Kirke may have the same interest in any oath for a new engagement which they had in the solemne League and Covenant;* We finde this doubtfull and uncertaine expression, *The Kirke shall have their due interests.* Which difference of your Lordships expression from ours, may also be interpreted by some, as if the Kirk had assumed more interest in the League and Covenant, than was due unto them.

Unto these, and the like considerations, Wee humbly conceive that our Desires, unto which we still adhere as just and necessary, are not satisfied by your Lordships Answer: And without cleare satisfaction in these desires, We finde it not safe to appoint a conference for agreeing upon the state of a question for War: yet if your Lordships had desired, or doe desire further conference with some of our number for satisfaction of our above mentioned Desires, Wee should have yeilded, and yet shall willingly yeeld thereunto. And as the present want of satisfaction in these Desires doth retard and hinder our proceedings towards an agreement upon the state of a question; so we are still confident that a reall and cleare satisfaction to the said desires, may be a happy and effectuall meanes for facilitating

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tating the state of the question, and for uniting this Nation in an unanimous undertaking of such duties, as are requisite for the reformation and defence of Religion, the safety, honour, and happinesse of the King and his posterity, and the good, peace, and safety of the Kingdomes.

A. KER.

*A Paper from the Parliament of the 29
March, 1648.*

At Edinburgh the 29 day of *March*, the yeare of God 1648 yeares;

WHereas the Commissioners of the Church have this day exhibited to the Parliament one paper intituled an humble representation of the sense of the Commissioners of the General Assembly; To the honourable Estates of Parliament upon their Lordships answer to the eight Desires lately presented to their Lordships: And the same being read in audience of the Estates of Parliament, They ordain the former Committee of 24 to confer with the Commissioners of the Church, or any whom they shall appoint upon the papers exhibited by the Church, and answers given thereto by the Parliament, and appointed them to debate thereupon, and for removing all differences, and also upon the state of the question and whole matter: And ordaines this to be communicated to the Commissioners of the Church in answer to the paper exhibited by them to the Parliament this day. And desires that the Commissioners of the Kirke, or those whom they shall appoint may come authorized with the like power to confer. *Extra.*

ALEX. GIBSON, *Cler. Registri.*

*The Answer of the Commissioners of the
Generall Assembly, Edin. penult. Mar. 1648.*

THE Commissioners of the Generall Assembly, having this day received a power from the Honourable Estates of Parliament, desiring a conference upon our late Desires, and the Parliaments answer given thereunto, and also upon the state of the question, and whole matter, doe humbly returne this Answer:

That as we have been, so we are still willing to appoint a conference

rence upon the eight Desires lately presented to your Lordships, and upon the unsatisfactoriness of your Lordships answer thereunto: And if your Lordships shall yet be pleased to give reall and cleare satisfaction to our said desires, We shall immediately thereupon appoint some of our number to confer with a Committee of Parliament upon the state of the question. This insisting upon satisfaction to our desires, before we appoint a conference upon the state of the question, doth not proceed from any peremptoriness about words, or things of small moment, nor from any partiality, or selfe interest, nor from any inclination to stretch our selves beyond our line, nor from intention to obstruct any lawfull endeavours, either for Monarchicall government in the Kings Majesty and his posterity, or for preferring opposing and suppressing of Sectaries: Our record is in heaven, we abhor and detest all such wayes: But our reall purpose is to keep our selves so free, that in an implicit way we consent not to, nor concur in stating of a question of War, before we see the safety and security of Religion sufficiently provided for, being tender of the great trust committed to us, as the servants of *Jesus Christ*, and officers of his Kingdome, for preserving the precious Jewell of Religion, which ought to be as well to your Lordships as to us, above all worldly interests.

A. K. E. R.

*The Article of the Demands which is to be communicated
to the Commissioners of the Church, viz.*

THAT an effectuall course be taken by the Houses for enjoin-
ing the Covenant to be taken by all the Subjects of the Crowne
of *England* conforme to the first Article of the Treaty, and conform
to the Declaration of both Kingdomes in anno 1643. By which all
who would not take the Covenant, were declared to be publicke
enemies to Religion and the Countrey: And that they are to be
censured and punished as professed Adversaries and Malignants:
And that reformation of, and uniformity in Religion, be settled
according to the Covenant; That as the Houses of Parliament have
agreed to the Directory of worship, so they would take a reall
course for the practising thereof by all the Subjects of *England* and
Ireland. That the Confession of Faith transmitted from the Assem-
bly of Divines at *Westminster* to the Houses be approved: And that
Pres-

Presbyteriall government with a subordination of the lower Assemblies to the higher, be seled, and fully established in *England and Ireland*: And that effectuell course be taken for suppressing and extirpating all Heresies and Schismes, particularly Socinianisme, Arminianisme, Arrianisme, Anabaptisme, Antinomianisme, Errastianisme, Familisme, Brownisme, and Independency; and for perfecting what is yet further to be done, for extirpating Popery and Prelacy, and suppressing the practice of the Service-book, commonly called the Book of English Common-prayer.

2 Aprilis 1648.

This Article read and agreed to, by the Estates of Parliament, is thought fitting to be demanded of the Parliament of *England*: And the Estates appoints the seventh Article to be communicate to the Commissioners of the Kirk, that they may return their thoughts thereupon, either for addition or alteration, which the Parliament will take to their consideration. And the Estates appoints the Lord *Palmerinotb*, Lord *Hunib*, and *Archbald Sydsers*, to acquaint the Commissioners of the Church therewith. *Extracted sort of the Records of Parliament, and Articles of breaches of the Covenant and Treaties, and demands for reparation thereof, respective by me, Sir Alex. Gibson of Dure, &c.*
Alex. Gibson Cler. Regi. 7.

Edinb. 13 Aprilis, 1648.

The humble returns of the Commissioners of the Generall Assembly wro that Article of the Demands concerning Religion, and the Covenant, &c. communicated unto them by the Honourable Estates of Parliament.

AS there is nothing which the Kirke of *Scotland* now for a long time hath more earnestly wished, and seriously studyed, then the settling of Religion, and carrying on of the worke of uniformity in all the three Kingdomes; so it is still our desire that your Lordships should sincerely and really endeavour the same in all fair and lawfull wayes both with the King and Parliament of *England* according to the League and Covenant. As to the Article communicated unto us, we shall not search after the cause why your Lordships have changed the way formerly used of sending Propositions to his Majestie, without whose confidence your Lordships will easily acknowledge, that the Parliament of *England* cannot render the particulars contained in the demand effectuell for securing of Religion. Neither shall we insist upon the prejudice, that preparative

of the taking of resolutions in that which concernes Religion without the advice and consent of the Kirke, may bring to the interest and liberty thereof. But conceiving that wee have just reason to looke upon the demand as intended to be a ground of warre, in case the Sea-men shall be refused by the Parliament of *England*, we cannot returne our thoughts thereupon, untill your Lordships shall be pleased to give us a satisfactory answer to our eight desires, formerly propounded to your Lordships, and untill you shall be pleased also to acquaint us with the Articles of the breaches of the Covenant and Treaties, and other demands, for reparation thereof, mentioned in the paper sent to us: that so we may not only know that no other of the demands doe crosse this, or tend to the hinderance of the work of Reformation, but also that we may be satisfied in our consciences upon the whole matter, and be assured that all things are so ordered, and resolved, as may indeed contribute for establishing the Covenant, and settling of Reformation of, and Uniformitie in Religion, and attaining all things expressed in your Lordships demands communicated to us. In the meane while seeing your Lordships do professe that the Cause is the same, and the cheif ground of the undertaking is for Religion; Wee desire your Lordships seriously in your consciences to ponder, how yee can make the refusall of this demand a cause of warre against the Parliament of *England*, with whom this nation was lately ingaged in a warre in defence of the League and Covenant, and ends thereof, when the King was in armes against both, and yet ingage in a warre for the King, while he still refuses to settle Religion and injoyne the Covenant, and will come no further at the uttermost, then to leave the Sea-men Arbitrary, as is evident from his late concessions; Or how your Lordships can propound any such demand unto others whilst your selves have not declared the Kings concessions so much as unsatisfactory, seeing these concessions are destructive to most of the particulars contained in your Lordships demands.

A. Ker.

Edinb. 18 April, 1648.

To the Right honourable, and High Court of Parliament, The humble Petition, of the Commissioners of the Generall Assembly.

Religion being of all things the most excellent, as it hath been the principall end of all the in deavours and undertakings of this

this Nation, so it is the main subject of our thoughts and cares, and we trust is most in the hearts of all the faithfull Ministers and godly people throughout the Land, as severall of their supplications unto your Lordships do make evident. It was from the tender regard we had of this so precious a jewel, that we did emit a Declaration concerning present dangers, and duties; And it was also from our respect thereunto, perceiving your Lordsh. inclined to an ingagement, from which wee neither were then, nor now are averse (being first satisfied in the grounds of the undertaking, and in the way of the managing of the same) that we did afterwards propound some humble desires unto your Lordships, containing things necessary for a right undertaking for, and securing of Religion, and preserving the Union between the Kingdomes: But after long attendance, and most earnest expectation, having received no satisfaction from your Lordships in these our desires; and conceiving that your Lordships resolutions are towards an ingagement in a warre, We doe from no other principle and intention, then the love of the truth, and the discharge of the trust committed unto us, as the servants of the living God, and his son Jesus Christ, who shall judge the quicke and the dead; intreate and obtest your Lordships, that as you doe professe that any undertakings which yee now are, or shall bee necessitated unto, shall onely be for settling Religion, Truth and peace under His Majesties Government, So for convincing our consciences and all the faithfull Ministers and people of God in both Kingdomes, of the integrity of your intentions, that your Lordships will be pleased to give us satisfaction, in all these our former just and necessary desires, and that for the said end, your Lordships will make it appear that you meane to be far from interressing your selves in any thing, that may put in His Majesties hands such power as may not onely bring the by-gon proceedings of both Kingdomes in the League and Covenant in question, but also for the time to come make void all the authority of Parliaments, though proceeding never so rightly in reference to Religion, and Liberties of the Kingdoms; And that your Lordships will be pleased to make it manifest, that you will be so farre from associating with, or giving trust and countenance to any within the three Kingdoms, who do not swear and subscribe the Solemne League and Covenant, That on the contrary your Lordships will hold them all for professed Adversaries, and Malignants, and indeavour to suppress them if they rise in Armes; Which we think

wee

we may with the greater reason and confidence expect from your Lordships, because yee have resolved to demand of the Parliament of *England*, that an effectuall course be taken by the Houses for in oynning the Covenant to be taken by all the Subjects of the Crowne of *England*, Conforme to the first Article of the Treaty, & the Declaration of both Kingdomes in *anno* 1643; By which all who would not take the Covenant, were Declared to be publique enemies to Religion and the Countrey, and that they are to be censured and punished as professed Adversaries and Malignants; And we trust, that whilst your Lordships require of them the performance of duties contained in the Treaties and Declaration, you will make it appeare that you intend to do nothing your selves contrary thereunto, The obligation therein being equall in regard of both, and the performance alike conducing for Religion and the Covenant. And we doe humbly intreate that your honours will be pleased to make known unto us your resolutions upon the whole matter, that we may see there is nothing therein that may crosse your Lordships demands concerning Religion, and be inconsistent with the security thereof and our desire for the same: And that what shall be thought fitting to be demanded of the Parliament of *England*, concerning Religion, for rendering the same the more effectuall, your Lordships will at the same time sollicite His Majesty for His Royall assent thereunto, that His Majesty and all others may know, that what you intend on His behalfe, is with a subordination to those ends, And so his Majesty may be induced to remove al obstructions on his part, that hinder the settling of Religion, and his Majesties Government And being desirous that all meanes bee first assaid which may prevent the effusion of more Christian blood, so farre as is possible. Therefore as the messengers of peace, we doe supplicate that your Lordships will take such course for seeking reparation from the Parliament of *England*, as may bee most probable in reason to obtaine the same in a peaceable way. And finally wee expect that your Lordships will do nothing that may strengthen the Popish, Prelaticall, or Malignant party, who are waiting for their day, or that may discourage or weaken the Presbyterian party in *England*, or render your wayes suspitious unto them: but that your Lordships will employ all the power which God hath put in your hand for advancing his honour, and the Kingdome of his Sonne. Many of your Lordships have been instrumentall in as glorious a worke of reformation-

mation as any age hath seen, and all of you have been witnesses thereto, and if any thing shall proceed from you for weakening or defeating thereof, as it will bee matter of high provocation against the Lord, so doubtlesse it wil be trouble to your soules in your latter end, and meet you in the day of your accounts. And if your Lordships shall refuse to hearken to this our humble supplication; we take God to record that we have exoneroured our selves as in his sight, and that we, and the Kirk of Scotland whose trust we discharge in the publique affaires thereof, are free of all that guilt that shall follow upon any undertakings or resolutions, tending to the prejudice of Religion, the honour and happines of the King, and the union and peace of the Kingdoms. But we desire to perswade our selves better things of your Lordships, and that you will give us such satisfaction as may incourage us to bear reall testimony of your Lordships, that ye intend the settling of Religion, and the carrying on of all things in such a way, as may contribute for the securing of the same,

A. Ker.

The dissent and protestation of some Members of Parliament against their Lordships proceeding to a determination in the Declaration concerning the breaches, and demands, &c.

VV Hereas the draught of a Declaration hath now beene read concerning the breaches of the Covenant, in matters of Religion and the demands to bee made for remedy and reparation thereof, the dangers to Religion, and the duties whereunto we are obliged by Covenant for Reformation and Uniformity in Religion, and the securicy to be had for establishing the same, upon which grounds a warre is principally founded: And whereas we have earnestly desired and insisted. That there may bee no proceeding to any determination concerning the said Declaration before the Commissioners of the Generall Assembly be first consulted therein, We do hereby enter our dissent, from proceeding to the determination of matters so highly concerning Religion, without the advice and concurrence of the Kirke, as a preparative of most dangerous consequence to Religion, and destructive to the liberties of the Church, as contrary to the National & Solemn League & Covenant, and to the known lawes and constant practices of this Kingdome; And we do protest that we may not be included in any such vote or resolution, but may be free of al the guiltines, confusions distractions and evill whatsoever that may follow thereupon to Religion, the King, this Kirk and Kingdom, And the union betwixt the Kingdoms.

The Reasons of the aforesaid Protestation.

THat the Parliament ought to take into consideration the papers already presented by the Kirke, and advise with them concerning the draught of the Declaration, before they approve the same, for the Reasons following :

1. The chiefe subject of the Declaration, is concerning the breaches of the Covenant in matters of Religion, and the demands to be made for remedy and reparation thereof, the dangers of Religion, with the duties whereunto we are obliged by Covenant, for Reformation and uniformity in Religion, and the security to be had for the establishment of the same : And so much the more the Kirke is to be consulted therein, that upon these grounds chiefly, a warre is founded, concerning the lawfulnessse whereof, the advice of the Kirke ought to bee taken, the grounds being taken principally from the interest of Covenant and Religion.

2. It is acknowledged and declared, by the Laws of the Kingdome in severall Acts of Parliament, that the Assemblies of this Kirke, are the competent and proper Judges, against all matters Ecclesiasticall : And when there were greatest controversies in matters of Religion betwixt his Maiessty and this Kingdome ; that which was earnestly sought for, as the proper and only mean to put an end to all differences touching matters of Religion, and assented to by his Maiessty in a solemne agreement, was, that all questions about Religion, and matters Ecclesiasticall, be determined by the Assemblies of the Kirke, as matters Civill by the Parliament ; which expresse words are set down in the 4 and 38 Acts of Parliament, 1640. and by many Acts of Parliament, it is particularly acknowledged, that in matters of Religion, the antecedent judgement is the Kirke, and the consequent judgement or Civill sanction is the States, as in the Kings oath of Coronation, and the first act 1592. anent the liberties of the Kirke, inserted in our Nationall Covenant, and repeated in the act rescissory 1647. which evinceth that the Parliament should communicate the Declaration to the Kirke, before they resolve upon it among themselves.

3. All our Supplications, Remonstrances, Declarations, Protestations, Acts of Assembly and Parliament, and our defensive Armes, in anno 1639, and 1640, were not onely against the Innovations then urged, in the book of Canons, Service book, &c. for the evill matter therein contained : but also against the dangerous manner of introducing the same, without the advice and consent of the
As-

Assemblies of the Kirke, and Lawes of the Kingdome.

4. Our Nationall Covenant, and our Solemne League and Covenant were first drawne by the Kirke : And their interreit interpretation thereof, especially so far as concerns Religion, was never hitherto denyed : but by the constant practice of this Kingdome, the Assemblies of the Kirke were alwayes consulted, anent the dangers thereunto, and the duties grounded thereupon, and touching the demands and security for Religion, before any expedition or Declaration for War, offensive or defensive.

5. The Parliaments assuming to themselves the sole judging of the breaches of Covenants, demands for reparation, the dangers to, duties for, and security of Religion, is a most dangerous preparative and destructive to the liberties of the Kirke; for subsequent Parliaments may according to this precedent, without the advice and consent of the Assemblies of the Kirke, impose upon them new Confessions of Faith, formes of worship and Church government, and so change the very substance and fundamentals of our Religion; likewise this preparative in a Parliament of *Scotland*, will confirme such in their opinions and practices, in the Parliament of *England*, who maintaine the Errastian tenets wheretore if extirpation of Errastianisme be intended in *England*, as is professed, it should not be practised at home.

6 Even the Parliament of *England* would not ingage in the League and Covenant, untill they had first advised it with the Assembly of Divines in point of conscience, albeit that Assembly hath no jurisdiction: how much more should we be cautious of ingaging in such a buisnesse, where there is a constituted settled Church, without their advice.

7. It were a manifest breach both of our Nationall Covenant, and of the Solemne League and Covenant to determine or approve of a buisnesse so highly concerning Religion, without the advice and concurrence of the Generall Assembly, or their Commissioners, seeing by both Covenants we are plainly obliged, to preserve and maintaine the doctrine, discipline, and government of the Kirke, which yet cannot be preserved, but overthrowne by such a Parliamentary determination and Declaration, concerning the Covenant and Religion, without the advice and consent of the Kirke. Neither can we expect the blessing of God upon our undertakings, if in this cause, wherein the honour and glory of God, and the good of Religion is so highly concerned, we should engage without the advice

and concurrence of the faithfull Ministers of this Kirke, whom God hath used as maine instruments in the beginning and progresse of the worke of Reformation.

Edinb. 20. April 1648.

Answers of the Parliament to the desires given in to them by the Commissioners of the Generall Assembly, and to the papers given in by them upon the 13 and 18 dayes of this month.

THe Estates of Parliament having againe taken to their consideration the desires given in to them by the Commissioners of the Generall Assembly: And having also considered the papers given in by the said Commissioners upon the 13 and 18 dayes of this month, doe conceive that the Declaration of Parliament is a full and satisfactory answer to the first eight Desires. As also to the other two papers in so far as the same are concident with these desires: And as to the other particulars of their two last papers, concerning the way and time of sending Propositions to the King.

1. It is answered, That the Parliament conceives the same way is now taken that hath been formerly: And in regard the Parliament of England, have laid aside these Propositions concerning Religion, and the joynt interest of the Kingdome of Scotland, We are necessitated to make our first applications to them who must first agree and condescend thereunto before his Majesties assent can be demanded: And that it evidently appeares by the Declaration, that we really intend to insist for satisfaction from his Majesty in that that concerns Religion before all worldly things: And that so soon as his Majesty shall be in such a condition of freedome, honour, and safety, as his concessions may be effectuell. And as to that prejudice alleadged in the preparative of taking resolutions in that which concerns Religion, without advice and consent of the Kirke.

2. It is answered, That as we have never hitherto taken any resolutions in that which concerns Religion without advice of the Kirke: And since, what is now declared by the Parliament in order to Religion, is not upon any new grounds, but in pursuance of the same grounds contained in the Covenant, in the Acts of the Generall Assembly and Acts of Parliament: And that in our demands concerning Religion, as the advice of the Commissioners of the Generall Assembly hath been desired; so we shall never doe any thing that may prejudice the just interest and liberty of the Kirke of Scotland.

And

And for their desire to be satisfied in the whole matter, It is answered, That it is cleare by the Declaration which contains the grounds and resolutions of the Parliament on the whole matter, That there is nothing therein which doth crosse the demands concerning Religion, or is inconsistent with the secueity thereof.

And farther, It is ordained that the Parliament having agreed unto the Declaration, it be communicated to the Commissioners of the Generall Assembly before it be published; and in matters that concerne Religion, that the Parliament will be ready to heare and consider the advice of the Commissioners of the Kirke. *Extract. out of the bookes of Parliament, by Sir Alex Gibson of Dury Knight, Clerk of his Majesties Registers, Councell and Rolls, &c.*

Alex. Gibson, *Clk. Regist.*

Edinb. 25. April 1648.

The humble returne of the Commissioners of the Generall Assembly to the answer of the Honourable and high Court of Parliament to our 8 Desires, and to our papers of the 13 and 18 of this Month.

WHereas your Lordships did communicate unto us your large Declaration, containing principally your Lordships resolutions concerning dangers and duties relating to Religion, we with your Lordships had been so tender of the liberty and due interest of the Gen. Assembly & their Commissioners, as to have communicated to us a busines so highly concerning Religion before, not after your Lordships resolutions taken therein; And that your Lordships had not given just cause to so many & so considerable Members of Parliament, who have given most reall and constant testimony of their integrity in this cause, to dissent from, and protest against your Lordships proceeding to determine a businesse of this nature, without consultation with us, and our consent had therein. For our part, the trust committed to us is so precious, that we may not hold our peace in such a case, but must freely professe and declare to your Lordships, That this Act being really a taking from us to your selves, the antecedent judgement and determination of danger, and duties, so highly concerning Religion in this present juncture of affaires; the liberties of the Kirke are so far prejudiced as could not have entered into our hearts to expect, after so solemne obligations to preserve and maintaine the Doctrine, Discipline, and Government of the Kirke of Scotland; - We therefore protest for the prefer-

vation of the Liberties of this Kirk according to the word of God, Sol em nCovenants, former lawes and laudable customes of this Kirk and Kingdome, and that this act of your Lordships be no preparative for the future. Finally that it shall be yet free unto us, according to the duties of our place, and as there shall bee cause, to give our judgements in an Ecclesiasticall way, of the materialls of the said Declaration, so far as Religion is therein concerned, as freely as if your Lordships had taken no resolution thereupon.

These things being premised, And desiring your Lordships to remember what we did formerly professe in our late petition, that we never were, nor now are averse from any Ingagement, being first satisfied in the grounds of undertaking, and in the way of managing the same, Wee proceed to make our humble returne to your Lordships answer of the 20th of this month to our eight desires, and our papers of the 13th and 18th of the same month.

Whereas your Lordships conceive that your Declaration communicated unto us, is a full and satisfactory answer to our eight desires, we must clearly professe to your Lordships, that we can find no such thing in that Declaration as a satisfaction to our eight desires. But that we find diverse things in it, which we humbly conceive to be very prejudiciall to these our desires, and of very dangerous consequence to the Cause of God and the Solemne League and Covenant. And for the particulars wee shall expresse our sence thereof in a distinct paper as soon as we can put our thoughts in order, which we hope shall be very shortly.

As to our other two papers, give us leave to put your Lordships in mind of some particulars contained therein, which we observe not to be touched, much lesse satisfied by your Lordships, either in your answer of the 20th. Or in the Declaration, as namely.

1. In our paper of the 13th we desired your Lordships seriously to ponder how you can make the refusall of that demand concerning Religion, a cause of warre against the Parliament of *England*? with whom this Nation was lately engaged in a warre for defence of the League and Covenant, and the end thereof, when the King was in Armes against both: And yet engage in a warre for the King whilst he refuseth to give satisfaction in that which concerns Religion and the Covenant, and will come no further at the utmost, then to leave the same arbitrary: Shall the refusall of one and the same desire, in the Parliament of *England* be a cause of warre, and yet in the King not so much as an impediment, to assistance, even whilst wee have

have just cause to feare that he will imploy his power against the Cause and Covenant?

2. Neither do we find any answer to that part of our petition of the 16th which concerneth his Majesties negative voyce, there expressed under the name of such power as may not only bring the by-gon proceedings of both Kingdomes in the League and Covenant in question, but also for the time to come, make void all the authority of Parliaments though proceeding never so rightly in reference to Religion, & liberties of the Kingdoms which made us desire your Lordships might be far from intereasing your selves in any thing that may put such a power in his Majesties hands.

3. We have received no answer to that part of the same petition, wherein it was desired that if any within the three Kingdomes who doe not swear and subscribe the Solemn League and Covenant, rise in Armes, your Lordships will hold them all for professed Adversaries and Malignants, and indeavour to suppress them.

4. Nor find we any thing in your Lordships answer or Declaration, in reference to that clause of our petition that your Lordships may let His Majesty and al others know that what you intend on his behalfe, is with a subordination to Religion, and the security thereof.

Some particulars in these two papers your Lordships are pleased to make answer unto. And first to that which we desired concerning applications to be made to the Kings Majesty, as well as to the Parliament of *England*, for satisfaction in point of Religion, your Lordships answer, That the Parliament conceives the same way is now taken that hath been formerly, which we doe not understand to be so, not having knowne heretofore such a way of sending demands of this nature to the Parliament of *England*, but that the Parliament of *England* were always desired to concur with this Kingdom, in the sending of Propositions to his Majesty, And whatsoever the Houses of Parliament have done in laying aside diverse of the Propositions concerning Religion, formerly agreed upon by both Kingdomes, yet we conceive it is still the duty of this Kingdom, to insist with His Majesty upon their just and laudable desires, for settling the Reformation and uniformity of Religion according to the Covenant, for the reasons and ends expressed in our petition: And so much the rather because after so many unsatisfactory answers and messages from his Majesty, we doe not expect a right understanding between His Majesty and his people, till somewhat proceeds from him towards

towards a cleare satisfaction of the just desires of his people; and especially in point of Religion. And although his Majesty bee not presently in that condition, as that hee may make a perfect settlement of Religion, yet wee know not why even in the condition he now is in, there may not be applications made to him, for obtaining from him security, and assurance for the settling of Religion according to the Covenant. And whereas your Lordships by that which followeth in your answer, let us know that you suspend your insisting for satisfaction from his Majesty in Religion, till hee shall bee in such a condition of freedom, honour, and safety, as his concessions may be effectuell; To passe the ambiguitie which may be concealed in these last words, and what concessions are meant, whither His Majesties future concessions or those already granted, we doe not thinke this delay safe, neither can we know how long it may be. Withall this clause gives some light to that part of your Lordships Declaration, For His Majesties comming with honour, freedome and safety, to some of his houses in or neer London; This honour, freedome and safety being conceived by your Lordships to be such as may inable His Majesty to effectuate his concessions concerning Religion, appeareth to us to bee no lesse, then a restoring of His Majestie to the exercise of his royall power, without security first had from him for settling Religion.

The second part of your Lordships answer, we humbly conceive doth rather confirme then satisfie our just complaint concerning resolutions taken by your Lordships in matters of Religion, without the advise and consent of the Kirke. For when your Lordships say that what is now Declared by the Parliament in order to Religion, is not upon any new grounds, but in pursuance of the same grounds contained in the Covenant and in the acts of the Generall Assembly yea, that in your Lordships demand concerning Religion, our advise was desired; All this addeth to our just grievance, intimating to us, that your Lordships interpret the Covenant and acts of the Generall Assembly, otherwise then we do; for we cannot conceive how your Lo: Declarat. agreeth with the grounds of the Covenant, & acts of the General Assembly but that it goeth upon new grounds, not contained in them. It is true, our advise was desired in that demand concerning Religion, but it was also true that the demand was resolved upon by your Lordships before our advise was desired, and that the answer and advise returned from us hath not found good acceptance

tance, neither have your Lordships proceeded according to the same. And whereas your Lordships say, that as you have never hitherto taken any resolutions in that which concerns Religion, without advice from the Kirke (and here give instance in those particulars complained of by us) so you shall never doe any thing that may prejudice this just interest and liberty of the Kirke of Scotland: As we shall not call to minde all that is past, so that which is here expressed by your Lordships, doth yet further adde unto our grievance, for to parallel and proportion the measure which wee may expect for the future, with that which we have in these late passages received from your Lordships, cannot but leave us under just feares and sad apprehensions.

The third part of your Lordships answer is in reference to our desire of being satisfied upon the whole matter; where your Lordships againe referre us to the Declaration, as containing the grounds and resolutions of the Parliament on the whole matter. This wee are not able to reconcile with that passage in the Declaration where your Lordships professe, *That you are resolved not to ingage in any War before the necessity and lawfulness thereof be cleared, so as all who are well affected may be satisfied therewith, and that reparation to such breaches or injuries as are or shall be condescended on, shall be demanded in such a just and fit way as shall be found most lawfull and expedient.* The one passage holdeth forth to us satisfaction on the whole matter, the other holdeth us still in suspense till the necessity and lawfulness of the Warre be cleared, and the way of demanding reparation resolved upon; for that your Lordships are pleased to say in the end, that it is cleare by the Declaration, that there is nothing therein which doth crosse the demands concerning Religion, or is inconsistent with the security thereof; what reason we have to be of another judgement shall appeare to your Lordships in our paper, which we are to present to your Lordships concerning the Declaration, unto which we referre our selves concerning our sense of other particulars in this business not here expressed.

A. Ker

The humble Representation of the Commission of the Generall Assembly; To the Honourable Estates of Parliament, upon their Declaration lately communicated to us. Edinburgh 28. April 1648.

Seing your Lordships have been pleased in your Answer to us of the twenty of this Moneth to remit us to your Declaration to the Kingdome, for satisfaction to our eight desires formerly presented

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ted to your Lordships, as likewise to our other desire concerning applications to be made to the King, as well as to the Parliament of *England*; And seeing your Lordships in the same Paper answering our desire to be satisfied in the whole matter, were pleased again to remit us to the Declaration, as containing the grounds and resolutions of the Parliament on the whole matter. We have therefore taken to our serious consideration your Lordships Declaration, to look after satisfactory answers to these our desires, and to be satisfied in the whole matter: But in stead thereof, our feares and dis-satisfactions are not a little increased by your Lordships Declaration. We shall not search into some particulars in matter of fact, mentioned in the narrative part, neither shall we be curious after the reason, why in so large a Declaration concerning publicke dangers, duties, and remedies. There is no expression for preservation of Monarchieall Government in his Majesties Posterity, as well as in his own person.

To the Preface we shall onely say thus much, that we could have wished your Lordships had been pleased to expresse your selves more plainly, who are those obstruers and traducers of your Lordships proceedings: those deceivers and abusers of the people, which your Lordships (we suppose) point at in reference to this Kingdome, the Declaration being intended for the Subjects of this Kingdome, whom your Lordships call the abused people; If your Lordships meaning be, that the People are abused by the lyes and calumnies of Malignants, how comes it that so much favour and forbearance is granted to such men? If any other then the Malignant party in the Kingdome be meant, we should be glad they were made known.

In the first part of the narrative, concerning the necessity, occasion, and consequence of the conjunction of both Kingdomes, We cannot but take notice of that which your Lordships say of those common enemies, by whose counsells and practises the composing of differences in the beginning was hindered; and what evils this Kingdome might have expected, if these counsels and advices which gave first life and motion to these dissensions, should have been still prevalent; We desire it may not be forgotten who were these common enemies, and whose counsell it was that did prevaile about his Majesty in the beginning of these troubles, and whether there ought not to be a jealous and watchfull eye over any such, if even after their joyning in the Covenant they be found in a way of compli-
ance with known Malignants, and in a way of opposition to such as have been most active and zealous in the Cause from the begin-
ning.

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Your Lordships adde, that in pursuance of the Covenant, this Kingdome joynd in Armes with their Brethren of England, and did prosecute these ends, till their common enemies were subdued, and most of them brought to such condigne punishment, as the respective Parliaments thought fit. We shall here passe your Lordships omitting of the Treaty between the Kingdomes; which may bee thought to have had a neer and immediate influence in reference to the conjunction of these Kingdomes in Armes, although the Covenant was the chiefe foundation thereof: But whereas your Lordships seem to intimate that the cloud of Malignancy was then sufficiently dissipated, or at least, that the Covenant was sufficiently performed in bringing Delinquents to such condigne punishment as the respective Parliaments thought fit; We are sorry that we have cause to remember what forbearance, yea, favour and friendship hath been granted to many such: and we are so far from thinking the danger from these former common enemies past and gone, that wee still see Malignancy upon the one hand, as Sectarisme upon the other springing up like roots of bitternesse to trouble, yea, to defile many in these Kingdomes, these are the hornes which yet push Judah and Jerusalem on both sides, the Lord prepare such Carpenters as may cut off both the one and the other.

As for the breaches of Covenant which your Lordships insist upon in the following part of your narrative, we with your Lordships to remember a passage in the Declaration of the Generall Assembly, and how cautiously they speake of the breach of Covenant in England; the words are these, *We would not be understood as if we meant either to justify this Nation, or to charge such a sin upon all in that Nation; We know the Covenant hath been in divers particulars broken by many in both Kingdoms; (The Lord pardon it, and accept a sacrifice) and we do not doubt but there are many seven thousands in England, who have not onely kept themselves unspotted, and retained their integrity in that businesse, &c.* That the Covenant hath been foully and shamefull broken by as many of the prevalent party of Sectaries and their adherents, as ever tooke the Covenant, is clear and undeniable, and by their means hath come the resisting and hindering of Reformation, connivance at Heresie and Schisme, and other things contrary to the Covenant. But it can as little be doubted of, that there are dangerous breaches of Covenant by Malignants, both at home and abroad: And your Lordships know, true zeale against breach of Covenant should strike equally on both hands, beginning to reforme at home. Your Lordships say well,

that the not-takers of the Covenant are by the joynt Declaration of both Kingdomes declared to be publicke enemies to Religion and Country, and are to be punished as professed Adversaries and Malignants: but we with your Lordships may not forget to apply that passage of the said Declaration to those who have not to this day taken the Covenant in *England*, and that therefore, they may bee lookt upon by your Lordships as common enemies, which ought to be suppressed and punished.

The laying aside of the Covenant out of the new Propositions sent to his Majesty to the Isle of *Wight* we utterly disapprove, and are heartily sorry for it; but we wish there had not been some guiltinesse of this same kinde at home, when it was carried in the Committee of Estates, that there should be no mention of the Covenant in the publicke desires sent up in August last to his Majesty. And whereas your Lordships doe enumerate amongst these breaches of Covenant, *That they who ought to be brought to tryall and condigne punishment for bindering the Reformation of Religion, dividing the King from his People, one of the Kingdomes from another, or making any faction or party among the People, contrary to the League and Covenant, have been protected and assisted;* We shall here onely desire your Lordships to remember, that all this is true of Malignants, as well as of Sectaries: and for our part, (whatsoever liberty there be in the manner or circumstances) we doe not doubt, but the thing it selfe is necessary, both by the Word of God, and Solemne Covenant, *viz.* That justice bee done, and condigne punishments inflicted on all hinderers of Reformation and Peace, and all who make factions, contrary to the Covenant, whether they be Sectaries or Malignants: But if it was sufficient that the most part of the Malignants were brought to such condigne punishment, as the respective Parliaments thought fit, which your Lordships gave us a touch of in the precedent part of your narrative, wee leave it to your Lordships consideration, whether you doe not hereby furnish such a retortion to those that favour the Sectaries in *England*, as that they may plead from that principle in your Lordships declaration, that the punishment of Sectaries is to be referred simply to the Parliament of *England*, as they thinke fit, and that your Lordships must allow them the same latitude of favour toward the Sectaries, as before you have allowed both to your selves and them, towards the Malignants. Your Lordships adde as another breach of Covenant, that in stead of a firme Union and Peace between the Kingdomes, a breach hath been

beene endeavoured, which cannot be denied to be a breach of Covenant, and therefore a rocke to bee the more carefully avoyded; It is our griefe that there is also cause to complaine of the Malignant party at home, as no lesse guilty of endeavouring a breach between the Kingdomes.

The attempts, injuries, and violences of that party of Sectaries against his Majesties Royall Person, and the hard condition he is reduced unto by their meanes, we are very sensible of: And, as we have often before professed, our prayers and endeavours according to our place and calling, have not beene, neither shall be wanting for the preservation of his Majesties Person and authority, in the preservation of the true Religion, and liberties of the Kingdomes: And we leave it to be pondered by your Lordships, whether they that obstruct and hinder the requiring of satisfaction and security from his Majesty, in point of Religion, before his restitution to the exercise of his Royall Power, do not upon the matter, and by consequence obstruct and hinder his Majesties deliverance and restitution, whereof such security and assurance had from his Majesty, might be a powerfull and effectuell meanes.

As wee know not whom your Lordships meane when you speake of such, as had warrant from the Parliament of this Kingdom, for access to his Majesty, and yet were debarred, and as no violence nor injury offered to a publicke Minister of another Kingdom can be excused, so we are informed, that the Souldiers Act in removing once the Earle of *Lauderdale* from *Wooburn*, was not onely disclaimed, but his Lordship often thereafter permitted free access to his Majesty.

Your Lordships insist upon three instances of the breach of Treaties, one of the large Treaty, and two other breaches of the Treaty, 1643. As to the first, (which for orders sake we begin at) We cannot say that it hold forth any convincing cleareness to us; Yea so far as we understand, the thing whereunto the Kingdom of *England* was bound by the Treaty, was not insisted upon by the Commissioners of this Kingdom at *London*, but an alternative, for assistance against the Rebels by Forces or Monies: After which the Parliament of this Kingdom made a desire of assistance by monies, which the Parliament of *England* promised to take into their consideration; And seeing your Lordships in this same Declaration wave breaches of Treaty, in Money-matters, even where the Money was due by Treaty, We hope your Lordships will find it the more inexpedient

pedient to insist upon the not obtaining of that assistance by monies against the rebels, being a way not provided by the Treaty.

Concerning the other two breaches which pitch upon the Treaty 1643. First, your Lordships say, that according to the first article of that Treaty, the Covenant should have been taken by both Kingdomes, but that now by the prevalent party of Sectaries and their adherents, it is not only laid aside in the new Propositions, and no execution of publick orders for taking it throughout the Country, but many in places of trust have never taken it, neither are urged to take it. Certainly such slighting of the Covenant is a great sin against God, and a high contempt of the Covenant: And it is very fit that this Kingdome should desire the Parliament of *England* to presse it, not onely upon persons of trust, but universally on all the Subjects of that Kingdome; yet we are not convinced of any just ground of War against that Kingdome, in that which hath been instanced by your Lordships, especially considering that the Covenant was taken by the Representatives, and other chiefe corporations in *England*, whereupon both the Generall Assembly, and the Parliament of this Kingdom have frequently mentioned in their Acts, Letters, and Declarations, the Union and conjunction of both Kingdomes by Solemne Covenant: neither are we without hopes, if things be carried on in a fair and right way, that the Kingdom of *England* may be brought a further length in the performance of this duty; Whereof we are the more confident, because of the famous and frequent testimonies given to the Covenant, and against the errours of the time, by the Ministry in divers Provinces in *England*. As for the last breach, which your Lordships conceive to be against the eighth Article of the same Treaty, 1643. We heartily wish, that the joint way of applications to the King by both Kingdomes once begun, had been continued, and do conceive very much prejudice to the Cause by the divided way: onely, we offer it to your Lordships further consideration whether this breach be not at least disputable, there being no mention at all in that Article of Proposals, Propositions, or Bills, but only of Cessation, Pacification, and agreement for Peace; so that it may justly be doubted whether the sending of those Proposals and Bills to the King without the consent of this Kingdome, hath in it that certainty and cleareness of a breach of Treaty between the Kingdomes, as may be a ground of War: And if it be a breach of the Treaty for either Kingdome singly and dividedly to send Propositions to his Majesty, We shall crave leave that we may desire to be

be informed, how this consisteth with that latitude which your Lordships leave afterwards in this same Declaration in the manner of presenting Bills or Acts of Parliament to the King, for your Lordships desire assurance of his Majestie to agree to such Acts or Bills *as shall be presented unto him by his Parliaments of both or either Kingdoms, respective.* We might also insist upon some Papers and Propositions presented to his Maj. from this Kingdom at *Newcastle*, and much more upon the Pacification concluded there, with his Majestie, in reference to the disbanding and removing of the Rebels in this Kingdome, and that in a single way (as we conceive) without the knowledge, and concurrence of the Parliament of *England*.

But we shall come to that which your Lordships make the result upon all these breaches of Covenant and Treaties, *viz.* That they call upon your Lordships to a duty to GOD, your King and Country, and to your oppressed Brethren in *England*, which your Lordships speake more plainly in the next Clause, giving us to understand, that those differences or breaches are such, as if not repaired by amicable indeavours, may otherwise necessitate this Kingdome to ingage in a warre, but that first your Lordships intend to send the three desires (next mentioned in the Declaration) to the Parliament of *England*: And this is all the satisfaction we find to our second desire, which was, *That according to the Treaties it may bee condescended upon, and Declared by the Parliament, what are those breaches of Peace, which they take to bee a ground of Warre, and that reparation thereof may bee sought.* But as wee see no breach of Peace instanced in the Declaration, and as the three breaches of Treaties insisted upon by your Lordships, seeme to bee at least debatable; So wee heare nothing of any resolution of Parliament, that such breaches as are, or shall be condescended upon by your Lordships, shall bee made known and sent to the Parliament of *England*, as we expected, and they have desired, by their Commissioners here; Onely we hear of three desires to be sent to the Parliament of *England* for Religion, His Majestie, and the Good and Peace of these Kingdomes: Wee conceive its the best and most justifiable way of proceeding; that publicke, as well as private injuries be declared and made knowne to those whom it concerneth to give satisfaction therein. Besides all this, we fear your Lordships will hardly avoid a Nationall quarrell against the Parliament of *England*, if the three instances before mentioned be insisted upon as breaches of Treaty to infer a War; because when the Houses were most free, and when there was no such over-
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awing influence of the Sectaries party, even then they did not suppress the Irishes in this Kingdome, they did not enforce the Covenant on all their Officers, much lesse on all English Subjects, neither would they then admit that they were obliged by Treaty, not to send Propositions or Bills to the King, without the concurrence of this Kingdome.

In all this that we have said, it is far from our meaning to assume any judgement of the Treaties betweene the Kingdomes; Only because your Lordships have remitted us to the Declaration, for satisfaction to our consciences, as in other particulars, so in this of the breaches, We have humbly represented to your Lordships, wherein we are not clear and satisfied in our consciences, to consent and concur for our part upon such grounds. And withall, seeing it is not only our desire as Messengers of peace, but your Lordships professed resolution in this Declaration, that you will assay all Brotherly and amicable ways for repairing differences and making up breaches, We recommend it to your Lordships serious thoughts, whether it will not be most agreeable to that Brotherly way of proceeding between two Kingdomes in Covenant together, to desire a Treaty with the Parliament of *England*, concerning the breaches and demands mentioned in this your Declaration, Especially seeing the way of Treaty was the way thought fit to be used in the years 1639. and 1640. before the Kingdomes were joyned in Covenant; How much more now, being so conjoyned, are all possible and lawfull wayes to be tried, for preventing the effusion of more blood.

In your Lordships first demand which concerneth Religion, there are some things wherewith wee cannot in our consciences be satisfied, as namely, 1. Because the first two particulars, therein contained, *viz.* concerning the taking of the Covenant, and practising of the Directory of Worship, are pressed only upon Subjects, which may be interpreted as tending to exempt the Kings Majesty, not only from taking the Covenant, (which yet was laudably desired in the Propositions of both Kingd.) but from having the Directory of worship practised in his family, which was a liberty that his Majesty reserved to himselfe in his late Concessions sent to us, and in diverse messages before sent to the Houses of Parliament at *Westm.* 2. We find nothing in this demand of any application to be made at, or about the same time to the King for obtaining assurance from his Majesty for his Royall consent; But of this we have expressed our selves more fully in answer to your Lordships Paper of the twentieth
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of this month. 3. Although this is the second time your Lordships cite in this Declaration a passage of the joynt Declaration of both Kingdoms, by which all that would not take the Covenant were declared to be publick enemies to their Religion and Countrey, and that they are to be censured and punished as professed Adversaries and Malignants; yet we find no such thing declared or resolved by your Lordships in this Declaration, in reference to those who have not to this day taken the Covenant, as that you will hold them all for professed Adversaries and Malignants. We hope your Lordships will not think it just nor equall to presse such a rule upon the Parliament of *England*, except your Lordships be pleased to walk according to that rule your selves. 4. Your Lordships do simply and absolutely desire, that the Confession of Faith transmitted from the Assembly of Divines at *Westminster*, to the Houses, be approven; whereas the Act of the last General Assembly, approving that Confession of Faith hath in it some necessary cautions, provisoes, and explanations, which as the Generall Assembly judged necessary to be added in their Act, so we do not think that part of your Lordships demand as it stands without any such caution to be safe enough: which among other things shewes the danger and inconvenience of your Lordships taking resolutions in things concerning Religion without our advice and consent. 5. As we desire that Reformation of, and Uniformity in Religion, may be endeavoured by your Lordships in all fair, lawfull, and brotherly wayes according to the Covenant, and heartily approve any such desire as your Lordships shall send to the Parliament of *England*, by the advice and consent of this Kirk, for injoyning the Covenant, and for bringing the Churches of CHRIST in the three Kingdoms to the nearest Conjunction and Uniformity in one Confession of Faith; Directory of Worship, and Presbyteriall Government; So we would be very cautious, and tender when such desires are turned into causes of War, if not obtained, which is the present case, as we understand by your Lordships expression in the precedent Paragraph.

Your Lordships second demand is, *That the Kings Majesty may come to some of his Houses in or near London, with Honour, Freedom, and Safety, that applications may be made to him by Parliaments of both Kingdoms for attaining his Royall assent to such desires as shall be by them presented to him for establishing Religion as is above expressed, and settling a well-grounded Peace.*

This demand we conceive to be of dangerous consequence to Religion and the Covenant for the reasons and considerations following, which we humbly offer to be considered by your Lordships, 1. All applications and desires to his Majesty for Religion are suspended till he come with Honour, Freedom and safety to some of his Houses, in, or neere *London*; We know not what length of time this may draw to, or how much danger there may be in the delay 2. The establishing of Religion here mentioned, as that which your Lordships intend to desire of his Majestie, is according to that which is above expressed, where we doubt not your Lordships referre to your first demand which went before; Whereas the establishing of Religion in such a manner as is there expressed, we do not think safe, for the reasons before given. 3. We conceive that this second demand amounts to no lesse then the restitution of his Majesty to the exercise of his Royall Power before Applications made, and desires presented to him, much more before assurance and security had from him, for the settling of Religion in the right manner, and according to the Covenant. For besides what we have expressed in our last Paper presented to your Lordships that this honour, freedom, and safety is conceived by your Lordships to be such, as may enable his Majesty to effectuat his Concessions concerning Religion; And what is that lesse then the exercise of his Royall power restored? This we further adde, that we humbly conceive, his Majesties Honour may comprehend, or may be made use of as comprehending, not only the possession of his Revenues, but also the exercise of his Royall Government; Next, being in freedom, he may repare to any part of his Dominions in *Scotland, England or Ireland*; And lastly, being restored to be in a condition of safety, he may provide Forces for guarding Himselfe against all apprehended dangers, for if Guards should be set about him, by his Parliament, it will be said to be contrary to the condition of freedom; So that being restored to some of his Houses, in, or near *London*, with Honour, Freedom, and Safety, We do not conceive what he shall want of the exercise of his Royall Power. Considering withall, that neither himselfe, nor any others will conceive the Honour, Freedom and Safety to be Kingly, and such as becomes his Royall Person, if he shall want the exercise of his Royall Power: Yet this restitution of his Majesty to the exercise of his Royall Power, before security had from him for settling Religion, Your Lordships know by our eight Desires, and other ways, is conceived by us to be inconsistent

consistent with the safety and security of Religion. 4. If his Majesty were once come with Honour, Freedom and Safety to some of his Houses, in, or neare London, We know not what influences he may have upon the Houses of Parliament to obstruct and hinder their presenting of Bills to Him, for enjoining the Covenant, abolishing Prelacy, and the Booke of Common-prayer, Establishing the Confession of Faith, Directory of Worship, and Presbyteriall Government; Or what strength his Majesty so restored may again attain by the assistance of the Popish, Prelaticall, and Malignant party, for a new and bloody Warre, to the devastation of these Kingdomes, and the ruine of our Religion and Liberties. Which things we have the more cause to feare and apprehend, his Majesty having declared and professed, that he is obliged in conscience to improve all the power which God shall put in his hands, for the establishment of Episcopacy. 5. To insist upon the bringing of his Majesty to some of his Houses, in, or neer London, before satisfaction and security had from him in point of Religion, and in such other things as are necessary for the safety of the Kingdoms, could not as we conceive but be an exceeding great discouragement and offence to the Presbyterians in *England*, who will conceive (if such a thing be pressed upon them) that the remedy propounded in your demand is worse then the disease. And we have also heard, that the *Parl. of England*, when they were as free as ever they were, would never agree to his Majesties coming to *London*, with honour, freedom, and safety, without security first had from him in such things as are necessary for Religion, and the safety of the Kingdom. 6. Seeing your Lordships are obliged by the third Article of the Covenant, to defend his Majesties Person and Authority, in the preservation and defence of the true Religion, and Liberties of the Kingdoms; We conceive your Lordships should not demand from, nor presse upon the Kingdom of *England*, His Majesties restitution with Honour, Freedom, and Safety, except with that qualification in the Covenant, and with a subordination to Religion and the Liberties of the Kingdoms, And how can this subordination according to the Covenant be said to be observed in your Lordsh. demand as it stands, for, if His Majesty be brought to some of His Houses, in or near *London*, with Honour, Freedom, and Safety, before so much as applications be made to Him for establishing Religion and Peace, we then leave it to your Lordships consciences, whether His Majesty shall not be re-

stored to His Honour, before Jesus Christ be restored to his Honour, and set upon his Throne of Government in His Church: whether His Majesty shall not be in a condition of Libertie before the Ordinances of Christ have a free course, and whether His Majesties safety shall not be provided for and secured; before either Church, or Kingdome can say they are in a condition of safety. And is this to endeavour the settling of Religion before all worldly interests, or rather to make it come after the Kings interest? 7. We fear that if after so many instructions from the Parliament. Convention, and Committee of Estates to their Commissioners at *London*; from time to time, for endeavouring in the first place the settlement of Religion, and then to endeavour the removing of the Civill differences, and the restitution of the King, upon his first giving satisfaction in Religion and the grounds of a solid Peace; And if after it was declared by this Kingdome, (during His Majesties being at *Newcastle*,) that they could not admit of his Majesties coming to *Scotland* in freedom, unless he granted the Proposition concerning the Covenant and Religion, and gave a satisfactory answer to the rest of the Propositions; Likewise, if after such a Declaration of the Parliament of this Kingdome, *January 16. 1647.* for his Majesties being in some of his Houses, with such attendance as the two Houses should think fit, untill He give satisfaction in the Propositions; If after all this it be now insisted upon, that his Majesty may be restored with Honour, Freedom, and Safety, before such satisfaction had from Him, we feare it shall lie as a great scandall upon this Kingdome, and as too sensible and apparent a change of their former principles and professions in a point so much concerning the security of Religion. 8. We are very apprehensive, that your Lordships urging the disposal of the Kings Person in *England*, in such a way as that he may come to *London* with Honour, Freedom, and Safety, without his Majesties giving, or your Lordships desiring his Majesty to give satisfaction and security in Religion, & in such things as belong to the safety of the Kingdome (without which there can be no lasting security expected to Religion.) As it is a farre different point from the urging of a joynt interest in the disposing of the Kings Person by both Kingdomes for the good of both, so it will be judged by most of all parties in *England*, that ever concurred in this Cause, to be so prejudiciall to their Nationall Rights and Liberties, and such an encroachment thereupon (though your Lordships declare you

you have no such intention) as that it will unite them all in opposition to this Kingdome, and consequently alienate them from the intended Uniformity in Religion, according to the Covenant. As these reasons make us conceive your Lordships second demand to import no small danger to Religion, So we would not be understood as if we had any thoughts to decline the restoring of his Majesty to the same condition he was in, by the agreement of both Kingdomes, when he was taken away by a party of the Army under the command of Sir *Thomas Fairfax*, that both Kingdomes may freely make their applications to him.

Concerning your Lordships third demand, That the present Army of Sectaries may be disbanded, for the ends expressed in the demand, As we think no persons whatsoever fit to be employed or entrusted in the Armies of either Kingdom, who have not taken the Covenant, and that all Sectaries in *England* that are in Arms should be disbanded and disarmed, So we conceive there is also reason for your Lordships to foresee and provide against the danger of the rising again of the Popish Prelatical and Malignant party in arms, and the rather, because of the late commotions begun by some of them both in *England* and *Ireland*; There being also some both in *Wales* and *Ireland* actually in arms, who have discovered and declared their principles and ends to be very Malignant; wherein we are informed they are the more animated and encouraged upon confidence of some agreement between his Majesty and this Kingdome. It is further to be considered, that this Demand being joyned with the second, the present Army in *England* disbanded, and his Majesty brought to *London* with Honour, Freedome and Safety, how easily may all the Malignant, Popish and Prelaticall party in his Majesties Dominions flock unto him & Which how prejudiciall it may be, his Majesty keeping still his principles, is easie to be judged.

As for the exceptions added in your Lordships demand, to passe the ambiguity thereof, your Lordships except from the said disbanding the Garrisons necessary to be kept in *England*, and desire that these Garrisons may be commanded by such as have or shall take the Covenant, and are well affected to Religion and Government, but do not desire any such thing concerning the Garrisons themselves, which may be understood as a tacite confession on your part, that all the Garrisons to be kept in *England* may be of such as have not taken nor shall take the Covenant, nor are well affected to Religion and Govern-

Government, provided that those Garisons be commanded by such as your Lordships describe.

We have but one point more to adde, concerning this third and last demand: For we cannot conceal our feares, and apprehensions, that your present resolutions and proceedings, and the entertainment of English Souldiers, whereof many are Papists and Malignants, and some eminent in Malignancie, is not the way to further, but to retard and hinder the disbanding of the present Army in *England*, and to frustrate the ends your Lordships propose in your Declaration for the disbanding of that Army.

And whereas your Lordships declare, that it is not your intention at all, to make a Nationall engagement against the Parliament and Kingdome of *England*, but for them; as we shall not presume to speak of the Nationall Rights and Priviledges of another Kingdome, So we cannot see how the principles of your Lordships Declaration can consist with the first part of our third Desire, which was, That there may be no such quarrell or ground of the Warre as may break the Union between the Kingdomes; for we conceive there are diverse such quarrels in the Declaration as fall directly and necessarily upon the votes and proceedings of the Houses of Parliament, even when they were most free.

Concerning that which your Lordships adde in reference to the latter part of our third desire, and to our whole fourth desire, We humbly conceive, it is very farre short of that which is no lesse your Lordships duty then our desire; for, 1. Your Lordships onely declare Association and Conjunction of Forces with those who shall refuse to sweare and subscribe the Covenant, which doth not exclude Association of Forces with such as neither have taken, nor shall take the Covenant, so that they be not urged thereto, and to not reckoned among refusers. This we have the more reason to take notice of, because your Lordships have before in this same Declaration complained that there is no urging of the Covenant in *England*, nor no execution of publike Orders for taking of the same. Which being so; how shall your Lordships finde the Malignants in *England* to be refusers of the Covenant, except your Lordships enforce it upon them, which we suppose your Lordships intend not to do? 2. Your Lordships do not declare, that if any who have not taken, and shall not take the Covenant, nay not so much as they that shall refuse the Covenant, if they rise in Armes, your Lordships will

oppose them, and endeavour to suppress them, onely your Lordships say, you will not associate nor joyn forces with them. 3. Whereas your Lordships say, *That you will be so farre from joyning or associating with the Popish Prelaticall, or Malignant party, if they shall againe rise in Armes, either to oppose or obstruct all or any one of the ends of the Covenant, that you will oppose and endeavour to suppress them as enemies to the Cause and Covenant;* We beleech your Lordships to consider, whether this part of your Declaration doth not reserve a latitude, that if the Popish, Prelaticall, or Malignant party shall rise in Armes for the Kings restitution, and can but have so much cunning (which is more nor probable) as to conceal their intentions of obstructing or opposing all, or any one of the ends of the Covenant, in such a case it may be free to your Lordships instead of opposing or endeavouring to suppress them, that you shall both protect their persons and estates, and also joyne or associate Forces with them. In all which we have the more cause to be full of feares and apprehensions, because of so many English Malignants, even now protected and entertained in this Kingdome, in hopes of military employments, yea diverse of them (as we are informed) such as have served against this Cause and Covenant.

As to that which followes relating to our seventh desire, concerning such as are to be intrusted in Armies and Committees, we shall need to say no more then was expressed in our humble representation, *March 29.* Namely, that your Lordships omit in your Answer some of the qualifications expressed in our desire, *viz.* such as have given constant prooffe of their integrity and faithfulness in the Cause, and against whom there is no just cause of jealousy, that so we may the more confidently encourage our Flocks to follow the Cause of God in their hands, and not to doubt of their fidelity; Which qualifications being contained in our desire, and omitted in your Lordships Answer, we are not without feares, that this omission may be made use of by some, as if your Lordships had not meant to agree fully to that desire, and so take occasion to deale for employing and entrusting such in the Committees and Armies, as may be justly excluded by the qualifications contained in our said desire.

These things having beene before presented to your Lordships, and there being nothing in your Lordships Declaration to satisfie or take off these our feares, but such expressions insisted upon as keepe aloof from the qualifications desired by us, all that are unbiassed, may easily

easily judge whether we have not herein some reall ground to be unsatisfied.

That which followeth in the said Declaration concerning the refusing of his Majesties Person, that He may come with Honour Freedome, and safety to, or neer *London* where both Kingdomes may make their applications to him, for settling Religion and Peace, we have before spoken fully to it. And whereas your Lordships adde a kind of *Salvo* in satisfaction to our fifth and sixth desires, it will plainly appeare that these desires are not satisfied by any thing here exprest in your Lordships Declaration. Your Lordships say, You resolve not to put in His Majesties Hands or in any others whatsoever, any such power whereby any of the ends of the Covenant may be obstructed or opposed: But may it please your Lordships to give us leave to put you in minde, 1. That your Lordships words may be understood, either in this sense, that you are not resolved to put any such power in His Majesties Hands, And if so, your Lordships know, what you resolve not now, you may resolve afterwards; Or in this sense, that your Lordships are resolved that you shall put no such power in His Majesties Hands, and if so, then there remains some doubt how far that power extends, which your Lordships conceive shall not be able to obstruct or oppose any of the ends of the Covenant, or endanger Religion and Presbyteriall Government; Or whether it be meant to be extended to his Majesties negative voice. 2. When your Lordships say, that you are not resolved to put any such power in His Majesties Hands, this needeth not hinder your Lordships yeelding and acquiescing if others put such power in His Majesties Hands; For resolutions, not to doe a thing, may stand with resolutions nor to hinder it. 3. When your Lordships have resolved to oppose the putting of any such power in his Majesties Hands, as may be destructive to Religion; Yet upon supposition, that His Majestie is come to *London* with Honour, Freedome and Safety, we doubt, whether it may not prove impossible to your Lordships to hinder the putting off such a power in His Majesties Hands.

Your Lordships adde what assurance you intend to crave from His Majesty for satisfaction in point of Religion; But wicshall, we observe three limitations or qualifications joyned therewith, which (so far as we are able to judge) leave this great point in a very dangerous uncertainty. 1. Your Lordships resolve, that his Majesty give

give this assurance for Religion, *before any agreement or condition to be made with His Majesty*, which is the expression chosen by your Lordships instead of that clause in our first desire, *Before his restitution to the exercise of his Royall Power*. If your Lordships expression were only a more smooth one, with the like security to Religion, (such as your Lordships Answer March 27. did put us in hopes of) we should have chearefully acquiesced: but we are so far from perceiving the like securite to Religion that we rather feare your Lordships qualification may make void and frustrate the security that we desired. For first, It clearly supposeth, that his Majesty shall come with Honour Freedome, and safety to *London*, before any agreement or condition to be made with Him; For such agreement or condition to be made with his Majesty being posterior to the assurance to be had from Him for Religion, must be much more posterior to his Majesties coming to, or neer *London* with Honour, Freedome, and Safety according to the method of proceedings proposed in the Declaration; Now being once at *London*, with Honour, Freedome, and Safety, and that without any agreement or condition made with Him, it is not probable to us, that his Majesty will then desire any agreement or condition, unless it be for some Concessions on his Parliaments part, and among other Concessions probably somewhat for Episcopacy too, for establishing whereof, He conceiveth Himselfe obliged in conscience to make use of His Power as was before observed. The result of this point that we humbly conceive is, that notwithstanding of that clause, *before any agreement or condition to be made with his Majesty*, or any thing else in the Declaration, His Majesty may be restored to the exercise of His Royall Power before security had from Him for Religion as we desired.

The next qualification added by your Lordships, immediately is in these words, *having found His late Concessions and offers concerning Religion not satisfactory*; where first, the words *having found*, may be variously understood. either, *when His Majesty shall have found*, or, *when your Lordships shall have found*, or, *because His Majesty hath found*, or, *because your Lordships have found*.

Next, the words, *not satisfactory*, are as doubtfull, and may be interpreted in severall sense, either that His Majesties late Concessions and Offers concerning Religion, *are not satisfactory in themselves*,

or, *that they are neither satisfactory to your Lordships nor to us*, or the meaning may be only, *that they are not satisfactory to us*. Which doubtfulness in the sense of the words we have more cause to observe, because your Lordships have not hitherto returned us any clear or positive answer to our fifth desire; *That his Majesties late Concessions and Offers concerning Religion, as they have been by the Church so may be by the Parliament declared unsatisfactory*; Only your Lordships, are pleased here to make a light transiſion over that which we conceived to be unto us a grave Subject of a Solemne Declaration.

The third qualification in the assurance to be required from his Majesty, is, that he shall agree to such act or acts of Parliament, and Bills, as shall be presented unto Him by His Parliaments of both or either Kingdomes respectively for enjoining the Covenant, and establishing the Presbyteriall Government, Directory of Worship and Confession of Faith in all his Majesties Dominions. But we humbly conceive, it were more for the Glory of God, good of Religion and his Majesties own happinesse, that his Majesty should after the example of the Godly reforming Kings of *Judah*, and of the best Christian Emperours of old in the Christian Church, Declare his own zeal and forwardnesse for the Reformation and settling Religion, and that your Lordships should do well to sollicite and incite his Majesty hereunto, rather then to seem to yeeld so farre, as that his Majesty shall be free for his part, till his Parliaments of both or either Kingdomes respectively agree what acts or Bills to present to him; The preparing and presenting whereof, how much it may be retarded and obstructed by the prevalency both of Malignants and Sectaries, we know not. seeing therefore His Majesty oweth a duty both to God and to his people for the Reformation and settlement of Religion, your Lordships may do better to sollicite his Majesty, and to desire that he will positively declare himself willing and ready for his part and for that duty which is incumbent to his Majesty, and that he give assurance for the same in the particulars. Your Lordships further declare in reference to our eighth and last desire, *that you are willing to subjoyn to the grounds of your undertaking an Oath, wherein both in the framing thereof and otherwise your Lordships are willing the Church shall have their due interest as formerly in the like cases*. Where, as we know not how far your Lordships meaning doth reach in the word *other wayes*, and in the word

due;

die; so we know not why your Lordships did not think fit to agree to our desire as it was conceived, and the words stood, *viz. that there may be no ingagemēt without a solemn Oath, wherein the Kirk may have the same interest which they had in the Solemn League and Covenant*; which desire is so far unsatisfied, that for our interest in the matter of the Oath, and in the grounds of the undertaking, we do nat see it allowed or preferred to us, but rather that the Declaration holdeth forth the grounds of the undertaking already resolved upon by your Lordships; only leaving us an interest in the forme of an Oath to be subjoynd, and that not without some uncertain and dubious qualifications, as hath been touched. Mean while we see only a Declaration without an Oath; and as Declarations are alterable by Parliaments, and their proceedings sometimes not agreeable to their Declarations (which he experience of these times hath taught us) so if there were an Oath subjoynd to the grounds of undertaking expressed in this Declaratihn, we could not account it a lawfull Oath, but that it would make the businesse worse.

Your Lordships adde somewhat further, relating to the matter of our first and second desires, namely, *that your Lordships are resolved not to engage in any War before the necessity and lawfulness thereof be cleared, so as all who are well affected may be satisfied therewith, and that reparation to such bpeaches and injuries as are or shall be condemned upon, shalbe demanded in such a just and fit way, as shalbe found most lawfull and expedient.* This clause, as likewise that which followeth, that many of the dangers with the grounds and resolutions, are by this Declaration of your Lordships made known to this Kingdom, seems to hold us in suspence, till all the dangers, grounds and resolutions be made known, and till the lawfulness and necessity of the War be cleared, and the way of seeking reparation resolved upon; yet eour Lordships may be pleased to remember, that in that part of your Answer to us of the twentieth, which is a return to our desire of knowing fully your Lordships resolutions, and being satisfied on the whole matter, we were remitted to the Declaration, as containing the grounds and resolutions of the Parliament on the whole matter.

As to that which followeth, concerning a present putting of the Country in a posture of defence as in *Anno 1643* we should be glad it were made to appear really that the grounds principles and end were the same now, they were in the year 1643. Otherwise the like

Act upon different grounds, and for different ends make it not the same cause. Your Lordships do indeed speak of the principles expressed in the Declaration, as the same with the first principles contained in our Nationall Covenant, and in the Solemn League and Covenant. But what reason we have to conceive they are new and different principles, may appear by the severall particulars before mentioned. We cannot here passe a new interpretation which the Declaration puts upon the Solemn League and Covenant, viz. *That we did solemnly sweare and promise before God and his Angels, to endeavour Reformation of, and Uniformity in Religion and Church-Government in all his Majesties Dominion: according to the Word of GOD, and the example of the best Reformed Churches.* Where we passe your Lordships limiting and restricting of Uniformity more then the Covenant doth: which may infer that Uniformity in Church-Government between the Churches of CHRIST in these three Covenanted Kingdoms, is not to be urged in any other manner or measure then we have a precedent of in other reformed Kirks; but that which here we chiefly aim at, is the following clause of the Declaration, viz. *And not only to the utmost of our power, with our mean, and lives to stand in the defence of our dread Sovereign, his person and Authority, in the preservation of the true Religion and Liberties of the Kingdoms, but also in every cause which may concern His Majesties Honour, to concur according to the Lawes of this Kingdom, and duty of good subjects.* Yet your Lordships know that no such interpretation hath beene made by the Assemblies of the Kirk of the Solemn League and Covenant, as your Lordships are pleased here to make of it. If it be said, that your Lordships meaning was only of our Nationall Covenant, yet it may be observed withall that the plain and grammaticall construction of the words will carry that interpretation either upon the Solemn League and Covenant only, or both upon it and upon our Nationall Covenant. However, although our Nationall Covenant only were here fixed upon, concerning which there is such an expression in the Supplication of the Generall Assembly, Anno 1639. to his Majesties Commissioner and the Lords of Secret Councell, yet there are some weighty considerations which we humbly offer against the application of that Supplication of the Assembly, to the present daimos; for, 1. His Majesty was at that time giving satisfaction to the publick desires of this Kirk concerning Religion; We heartily wish

we might say the like now. 2. We do not see the Cause stated in the Declaration to be for his Majesties honour, and so to fall within that duty expressed in the Declaration of the Generall Assembly. And as one of the ends of the Covenant was his Majesties honour and happinesse, and your Lordships also have acknowledged in your Oath of Parliament, that the honour, happinesse, and greamesse of the Kings Majesty, doth depend on the purity of Religion as it is now established in this Kingdome, So whatsoever crosseth or prejudiceth the grounds of the Covenant, or any of the ends thereof, cannot with us finde any such commendation as to be a cause which concerneth his Majesties honour. 3. Whatsoever we owe to the King in civill matters distinct from the Cause of Religion, sure all these other duties are with a subordination to the glory of God, and good of Religion; and we are very confident it was and will be far from the thoughts of the Generall Assembly, under colour of his Majesties Honour to concur with him, or any in his Name, in a cause which is hurtfull and prejudiciall to the good of Religion, and to the other ends of the Solemn League and Covenant; yet the cause stated in the Declaration, we humbly conceive to be such. 4. It may be remembered that the *Cross-petition* having cited the same clause of the said Petition of the Generall Assembly, and making use thereof in order to an engagement in War in his Majesties quarrell against the Parliament of England, was declared against by the Commission of the Generall Assembly, Anno 1643. And among other particulars it was then declared, that the limitations expressly mentioned in the words cited out of the Assemblies Supplication, *viz. according to the Lawes of this Kingdom; and duty of good Subjects*, were interpreted by some that spake at the time in the Generall Assembly, to be all one as if it had been said, *within this Kingdom*, we not knowing of any Lawes of this Kingdom of further extent. It was also then observed and may now be applied and remembered, that the Nationall Covenant having been subscribed in the Yeares 1581. and 1590. before King James was King of England, and being qualified in the particular Heads and Articles by expresse limitations and restrictions to this Kirk and Kingdome, to the Religion, Laws and Liberties of Scotland, can no more be extended to municipall debates, and to the Laws and Liberties of England, unto which we are strangers, then the Kingdom of England can judge of our Lawes, and determine our differences, the two Kingdoms being still independent each on other, and not subordinate

ordinate one to another, as the first Article of the large Treaty fully declareth.

As to that we find in the close of the Declaration, that this Kingdom of Scotland will now make it evident, as they have often declared, that their quietnesse, stability, and happinesse doth depend upon the safety of the Kings Majesties Person and maintenance of his greatnesse and Royall authority, who is Gods Vicegerent set over us for maintenance of Religion and ministration of Justice; we shall only put your Sordships in mind, that your National Covenant joineeth with his Majesties Safety, his good behaviour in his Office, and faith, *That the quietnesse and stability of our Religion and Kirk doth depend upon the safety, and good behaviour of his Majesty, as upon a comfortable Instrument of Gods mercy granted to this Countrey for the maintenance of his Kirk, and ministration of Justice.* Otherwise, if a King do not his duty for the Maintenance of the true Religion, and Ministration of Justice, it is not his safety alone, that make his Peale to be in quietnesse and happinesse; Wichall, as our quietnesse and happinesse dependeth on his Majesty, and his doing of his duty as an Instrument and Minister of God for good, So the Honour, Greatnesse, and Happinesse of the Kings Royall Majesty, and the welfare of the Subjects, depend upon the purity of Religion, as is well expressed in your Lordships Oath of Parliament.

And now we shall with your Lordships favour and permission make this conclusion upon the whole matter, That as we neither were nor are against an Engagement with this Kingdom in War, but have been and shall be willing to consent thereto, if once satisfied in our consciences concerning the clearenesse, lawfulnessse, and necessity of the Cause and quarrell, and concerning our calling, manner of proceeding, Instruments to be entrusted, security to be had for Religion, and other particulars contained in our former Papers not yet satisfied by your Lordships. So we are necessitate to profess and declare to your Lordships, that we cannot, we dare not in our consciences agree to an Engagement upon such grounds, and in such a way as is stated in your Lordships Declaration; And therefore for our exoneration do dissent from the whole complex businessse in the said Declaration, as not containing clear and convincing grounds of undertaking of a Warre, nor providing for the security of Religion, nor clearly disclaiming his Majesties late Concession and offers as unsatisfactory, nor tending to the suppression of the Malignant party,

party, but rather to compliance with them, as we humbly conceive, nor preserving the Liberties and known interest of the Kirk, nor proposing the way of Treaties, and all other wayes of Peace to be fought and assayed before a Warre. For which reasons, and others before mentioned, upon the particular heads of the Declaration, we plainly declare our dissent from the complex circumstantial state of the present businesse contained in the said Declaration, and take to witnesse, God, Angels, and men, that your Lordships have not wanted warning from the Watchmen, And that we shall be free of all the distractions, confusions, miseries and blood, which may follow upon your Lordships proceeding to an engagement in Warre, upon the grounds of the Declaration. We further call to record, the searcher of all hearts, and the righteous Judge of all the world, that our not concurring proceedeth not from want of zeal against Sectaries, nor from any remissenesse in that which may concern his Majesties true Honour and Happinesse, and the preservation of Monarchicall Government in him and his Posterity, nor from any want of tendernesse of the Priviledges of Parliament, nor from any want of sympathy with our afflicted and oppressed Brethren in England, In reference to all which our proceedings have been, and shall be (we trust) reall testimonies of our affection and sincerity; But our not concurring proceedeth meerly from tendernesse in the point of security of Religion, and union between the Kingdoms, and from the unsatisfactorinesse of the grounds of your Lordships Declaration, as hath been expressed in the particulars. Wherefore we humbly beseech your Lordships to interpret favourably and charitably any liberty which we have used (the matter being such as lyeth sad and weighty upon our Consciences) and that your Lordships would also be pleased to be mindfull of making good that passage of your Declaration, where you say *that you are resolved not to engage in any War, before the necessity and lawfulness thereof be cleared; so as all who are well affected may be satisfied therewith*; Which if your Lordships shall be pleased to do, there is a door of Hope yet open, and we shall not cease to pray unto the Lord (as he shall assist us) that a Spirit of counsell and understanding and of the fear of the Lord may be upon you, and that God would graciously rid both your Lordships and us out of all hid and lurking snares, and to guide your Lordships, as that there may be yet a sweet and harmonious joining of hearts and hands upon right Principles, Grounds and motives, in a right way, and for the right ends.

Edinb. 6. Iunii, 1648.

The humble Vindication of the Commissioners of the Generall Assembly,
and their late Proceedings :

*In Answer to the LETTER of the High and Honourable
Court of PARLIAMENT,*

Dated May 11. to the severall Presbyteries in the Kingdom.

Although we doubt not but the particular Presbyteries will sufficiently return answer to the Parliaments Letter so far as concerneth them, (wherein divers Presbyteries have already given example to the rest) yet the chief purposes of that Letter reflecting all along upon our late proceedings, and the Letter being also printed and published for common view and use; The great trust put upon us will not allow us to be silent in such a case. And the greater cause we have to vindicate our proceedings in this manner, because whilst we had just reason to expect from the Parliament a clear and full satisfaction to our desires, seconded by so many Provinciall Synods, in stead of such satisfaction, that Letter came abroad with many reflections upon our proceedings, neither was any thing hereof communicated or made known from their Lordships to us, that we might have been heard for clearing our own actions before the divulging and spreading abroad of the Letter.

To the Preface of the Letter we answer, that as it is too manifest how many and great scandals are thrown upon us and our proceedings by the favourers of Malignants and haters of Reformation and Presbyteriall Government; So we know not either among our selves, or in any Assemblies of the Church of *Scotland* any favourers of Sectaries, or haters of the Person of the King and of Monarchicall Government, who throw scandals upon the Parliaments actions; And if any shall by sufficient proof discover any such in this Kingdom, it will quickly appear how far the Assemblies of this Church (and we for our part) shalbe from conniving at, or bearing with them; yea the
Generall

Generall Assembly and Commissioners have already declared so much, and so often both for the preservation of the Monarchicall Government in his Majesty and his posterity, and against Sectaries. And there hath been also so long and reall proofe both of the loyalty of this Reformed Church of Scotland to his Majesties Father, and to himselfe, and of zeale in executing Church Discipline against Sectaries (wherever any were found) that the world may bear witness with our Consciences of our integrity both in the one and in the other, although we should altogether hold our peace. Error will sooner comply with error then truth can, and favourers of Malig-nants have been and may againe turne to be favourers of Sectaries, to serve their turne and save their interest for the time. For our part as we did before so we doe still, clearly and ingéniously professe that we looke upon Sectaries and Malignants as enemies to be opposed, as rocks to be avoided on the right and left hands.

We see no cause why the severall Presbyteries need to be conjured as they will answer to the great God not to suffer themselves to be possesst with unjust and undeserved prejudices against the Parliament and their proceedings: The fear of God, & conscience of their duty, will keep them upon the one hand from unjust and undeserved prejudices against their Lordships and their proceedings, and upon the other hand from obeying unjust Decrees, and complying with iniquity although established by a Law.

What their Lordships professe concerning their preferring of no earthly thing to their duties for Religion, and concerning their reall endeavours to satisfie the most tender consciences, by their Lordships great compli-ance with our many desires: All this wee leave to the searcher of the hearts, and tryer of the reynes, who can and will judge thereof: This we can say for our selves, that to this day, we have not received a satisfactory Answer from their Lordships unto any one of our desires presented to their Lordships for the safety and security of Religion, but under colour of yeelding somewhat, our desires were more dangerously refused, then if they had been flatly rejected.

If that which followeth in the Letter hold good, viz. *That it cannot be by any with truth and justice alledged that their Lordships have in the least measure wronged, or violated the true Priviledges and Liberties of the Church*, we are greatly to be blamed and censured for complaining in one of our Papers to the Parliament, that their Lordships have

very much prejudiced the true priviledges and liberties of this Kirke, and for protecting (upon that occasion) against such preparatives, and for preservation of the liberties of the Kirke in time coming. But now how much truth and justice wee had for the ground of our grievance and protestation, all who will not shut their eyes against the cleare light may easily understand. For was it ever before heard or knowne, that any Parliament of this Kingdome did without the knowledge and consent of those who had for the time, the trust of the publicke affaires of the Kirk, determine, judge, and declare, by an antecedent judgement, matters so highly concerning Religion; as these contained in the Parliaments late Declaration. Wherein there are not only dangerous expressions concerning the Confession of Faith, Directory of Worship, and Presbyteriall Government (as we have particularly instanced in our late Declaration) but likewise in the close a strange and new sense put upon the Covenant and Acts of Generall Assemblies, without so much as first consulting us concerning such a sense thereof, which might have beene prevented if they had consulted us therein: Notwithstanding of all which, the Declaration being communicate to us from the High and Honourable Court of Parliament, and wee having promised a speedy returne thereto, which accordingly after eight dayes we performed, (the matter being copious) the Declaration was ordered by the Parliament to be Printed, and the three demands contained therein sent away to *England*, without staying a little for our Answer (which we had let them know we were preparing) whereas a very short delay might have by the blessing of God brought unto their Lordships more light, and matter of second thoughts.

We can as easily acquit our selves of any incroachments upon the unquestionable Rights of Parliament. We are obliged by Solemne Covenant to endeavour the preservation of the Rights and Priviledges of Parliament: And to encroach upon the same were indeed a hainous crime, wherewith if any shall reproach us, let them take heed what the ninth Command will exact of them; yet they who will remember how in all ages, the most faithfull servants of God have usually been traduced as troublers of, and encroachers upon the Rights of the Civill Magistrate, will not much marvell that what hath been, is now.

As to the three instances mentioned in the Letter, to prove that

that great encroachments are made upon their Lordships unquestionable Rights. First, it is said, *What can be more civill then to determine what Civill duties we ought to pay to our King, or what Civill powers bee ought to be possessed of?* We aske again, whether in our late conferences with their Lordships concerning an engagement in War, there was any thing more proper to be insisted upon by us, then the securing of Religion before all worldly interests, and particularly, that security may be had from his Ma^{ty} for the point of Religion before his restitution to the exercise of his Royall power? Must not duties to God (whereof the securing of Religion is a maine one) have the supream and first place, duties to the King a subordinate and second place? Next as we have not determined what Civill duties the Parliament ought to pay to the King, or what Civill powers he ought to be possessed of; and as it is competent to the Parliament to judge of Civill duties between the King and his People, in their owne way; so can we not admit that it is proper and competent onely to them to judge of those duties; for the duties of the second Table as well as of the first, as namely, the duties between King and Subject, Parents and children, Husbands and Wives, Masters and servants, and the like, being contained in, and to be taught and cleared from the Word of God, are in that respect, and so far as concerneth the point of conscience a subject of Ministeriall Doctrine, and in difficult cases a subject of cognizance, and judgement to the Assemblies of the Kirke. And here it is not to be passed that the Kirke of Scotland in the large Confession of Faith, ratified by Acts of Parliament, did long since determine the duties of the King and Subjects: The like whereof may be seen in the other Confessions of Faith of the Reformed Churches.

Secondly, whereas it is said, *Is there any other Authority in this Kingdom but that of the Parliament, and what flows from them, that can pretend Authoritative power in the choice of the Instrument and Managers of their publik Resolutions?* We humbly ask, is there any Ecclesiastical Authority within this Kingdom that hath pretended or doth pretend to such a power? for we know no such thing. An Authoritative power and choice of the Instruments to be entrusted in Committees of Parliament & Armies, doth not belong unto us, but unto the Parliament. Nevertheless it was very competent for us an ong other things requisite for the safety and security of Religion and our Solemne Covenant, to represent to the Parliament the Qualifications which we judged from
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Gods word to be necessary in such as are entrusted with the managing of so great Affaires, and so highly concerning our Religion and Consciences; Which we have had the more reason to insist upon, for our owne and others satisfaction, we being desired to joyne and concur in the businesse. Suppose a Minister preaching before the Election of Magistrates (which is usuall) and shewing from the Word of God the Qualifications requisite in Magistrates, and that none ought to be chosen but such as are so and so qualified; who will challenge such a Minister of assuming the Authoritative power of choosing Magistrates? And if the choosing of particular Magistrates in Cities and Boroughs contrary to the Rules and Qualifications of the Word, be sinfull and blame-worthy, how much more the committing of so great a publicke trust in Committees and Armies to divers not qualified with the necessary Qualifications.

To the third Instance, which asketh, *Is it a subject for the Dispute of Church Judicatories, whether his Majesty hath a negative voice in Parliament, or not?* We answer, so far as the Scriptures of the Old or New Testament hold forth any light to us, what Power is due, and what is not due to Kings, it well agreeth with our places and callings, to communicate such light to others as we see need. Wee know no Church Judicatory that hath disputed whether his Majesty hath a negative voice in Parliament; but we had just reason to supplicate the Parliament that they might not interest themselves in any quarrell for his Majesties Negative voyce, because of the great dangers which may thereby come to Religion, not onely by future disappointments of the so much desired settlement of Church affaires, but by quarrelling the Solemne League and Covenant it selfe, and the begun Reformation and Uniformity in Religion which hath been purchased with so much pains, hazards, losses and sufferings.

And now we shall take all these three instances joyntly, and make this further answer to them all. First, although the points had been merely Civill, yet by the Confession of Faith agreed upon by the Assembly of Divines at *Westminster* and approved by the Generall Assembly of the Church of *Scotland* as sound and Orthodox as the Act more particularly beareth, we are allowed to apply our selves to the Parliament by way of humble supplication even in Civill matters, The Parliament also having in their Declaration expressed their desires and resolutions, that the said Confession of Faith be confirmed and established, have upon the matter allowed us to sup-
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plicate their Lordships concerning such things. Next we say, that in all the three instances which are given, our supplications and desires were to avert what we justly conceived to be destructive to Religion: We hope no man will have the face to say that the Assemblies of the Church may supplicate against dangers of Religion which fall within the first Table, but not against dangers of Religion which fall within the second Table, or that they may supplicate against dangers of Religion arising from other men, but not against dangers of Religion in which his Majesty is any way concerned, or which flow from a bad choice of the Instruments and managers of publicke resolutions.

The Episcopall disease of meddling with Civill affaires we trust through Gods mercy, neither hath, nor shall have any place among the Ministry of this Kingdome, who by their Nationall Covenant abjured the Civill places and power of Kirk-men. Onely we shall desire it may be remembered that there were other Episcopall diseases and distempers beside this, as namely, encroaching upon the liberties and priviledges of Ecclesiasticall Assemblies, the forcing of the consciences of Gods people, and persecuting such who could not in conscience obey. Wherefore it is necessary that all the Episcopall evils and disorders be carefully avoided. And as we doe not doubt the ensuing Generall Assembly will doe what shall be fit for them to prevent the villifying and contemning the authority of Parliament, if it be found in danger to be villified, so we humbly conceive they will not be unamindfull to prevent the villifying and contemning of the authority of their owne Commissioners.

The following clause in the Letter putteth over to the Generall Assembly any of the Ministry, who shall offer to stir up the Subjects of this Kingdome to disobey or deny to give Civill obedience to their Lawes, it being expressly provided by the second and third Acts of King James 6. his 8. Parliament in Anno 1584. that none of his Majesties Subjects under the paine of Treason impugn the Authority of Parliament. Where first we shall desire that two knowne distinctions, which in this passage of the Letter seeme either to be confounded or forgotten, may be remembered. Civill obedience to Acts of Parliament is either in things unlawfull and contrary to the Word of God, or in things lawfull and right. In the former case it is a sin to obey: in the latter case, a sin not to obey. Againe the Authority of Parliament is one thing, an Act of Parliament another thing; We doe still acknowledge their Authority

rity when we obey not this or that Act. And whatsoever bee the Treason of impugning the Authority of Parliament, it can be no Treason to obey God rather than man : Neither did the Generall Assembly of *Glasgow* 1638. and such as were active for the Covenant at that time commit any Treason when they impugned Episcopacy and *Perth* Articles, although ratified and strengthened by Acts of Parliament and standing Laws then unrepealed.

As to the two Acts cited in the Letter, if the Order of the Printed Acts be followed, the third hath nothing in it of what it is cited for, neither know we for what use it can be cited and applied, except to the abridging of the Liberties of Ecclesiasticall Assemblies; for it dischargeth all Judicatories and Judgements, Conventions and Assemblies Ecclesiasticall, without his Majesties speciall licence and Commandement, which how contrary it is to the word of God, to the example of the primitive Church, to the Judgement of sound Divines, to the Liberties of this Kirke, and to our Solemne Covenants, is more manifest then to need that we should insist upon it. But if the Order of the unprinted Acts be followed, the second of these Acts doth not mention the Authority of Parliament, but of his Majesty and his Councell : However we are heartily sorry for the citation of the acts of that Parliament. a Parliament which re-introduced Episcopacy, and so made defection from the Nationall Covenant sworne three yeares before : For Captaine *James Stewart* then Earle of *Arran* and Chancellour, and the few Prelates of that time contrived and procured such Acts of Parliament as might serve their ends. The same Acts were alleadged and urged by his Majesties Commissioner in Anno 1638. for Episcopacy, whereunto this Answer was made at that time, *The Acts of Parliament, 1584. are of severall natures but they were protested against by the Ministers of Edinburgh in the name of the Kirke of Scotland at the Market Crosse of Edinburgh when they were proclaimed, and as they were made in that time which was called the boutè of darknesse of this Kirke Tyrannized over by the Earle of Arran, so are they repealed, 1542. Cap. 114.* It is not to be forgotten, That after the making of those Acts of Parliament, they were so generally disliked by all good men, that the chief Courtiers of that time thought it necessary to employ Master *Patrick Adamson*, a chiefe deviser of these Acts to make a Declaration of the meaning thereof in his Majesties Name, which he accordingly performed. Concerning which Declaration the said Master *Patrick* pretended Archbishop of *St. Andrews*, did afterwards

wards in his renunciation make this Confession. *As where I am burdened to be the letter sort of a Book called the Kings Declaration wherein the whole Order of the Kirke is condemned and traduced; I protest be'ore God, that so I was commanded to write the same by the Chancellour for the time, but chiefly by the Secretary, another great Courtier who himselfe penned the second Act of Parliament, concerning the Power and Authority of Judicatory to be absolute in the Kings Power, and that it should not be lawfull for any Subject to reclaime from the same, under the penalty of the Act which I suppose was Treason.*

Beside that Declaration his Majesty himselfe having received a supplication from divers well-affected Ministers with their Animadversions upon the said Acts of Parliament, did pen with his owne hand another Declaration of the meaning thereof: But by both those Declarations it may be easily understood, that the said Acts were intended for innovating and changing the Government and Discipline of this Kirke, for setting up Bishops, and for suppressing the best Ministers, and accordingly they were made use of afterwards for the ground of a charge against the Ministers that were banished.

It shall not be amisse here to insert that part of the Ministers Animadversions (given in to his Majesty at that time) which concerneth the second Act of that Parliament; the words are these, *As concerning the second Act, the Narration thereof, appeareth to bee slanderous against some of the Ministry, which wee would wish to be reformed or otherwise conceived, except the truth thereof were verified. And as to the substance of the Act it selfe, it attributeth to your Majesty a Sovereigne power of Judgement not onely upon the persons of your Subjects, but also in all matters wherein they or any of them shall be apprehended, summoned, or charged, &c. Which appeareth to be very strange, the like whereof we beare not to have been practised in any Christian Commonwealth, and cannot stand with the Word of God, for although the persons of men are subject to your Majesty and Civill Judges when they offend against your Lawes, yet matters Ecclesiasticall and concerning conscience, no Christian Prince can justly claime, nor ever claimed to himselfe such power to judge. Seeing the Prince in this behalf is a member of the Kirke, and Jesus Christ onely the head, who onely hath power to give Laws in matters of Conscience; and so said the godly Ambrose, Imperator bonus intra Ecclesiam non supra Ecclesiam est: And to confound the Jurisdiction, Civill and Ecclesiasticall, is that thing wherein men of all good Judgements have justly found fault with, in the Pope of Rome, which claimeth to himselfe the power of both the swords, which is as great a fault to a Civill Magistrate to claime.*

claim and usurp, and especially to judge upon Doctrine, Errors and Heresies, he not being placed in Ecclesiasticall function to interpret the Scriptures, the warrants hereof out of the word of God we are likewise to bring forth.

Hereunto we shall adde a passage out of the recantation of Mr. Patrick Adamson subscribed with his hand before famous witnesses and exhibit to the Synod of Fyffe. the passage is this. There are contained in that second Act of Parliament divers others false intentions for to defame the Ministrie and to bring the Kirke of God in hatred and envy with their Prince and Nobility, burdening and accusing the Ministers falsely of Sedition, and other crimes, whereof they were innocent (as likewise it is written in the same Act and Declaration thereof that Sovereign and Supream power pertaineth to the King in matters Ecclesiasticall, which is worthy to be condemned not to be contained among Christian Acts, where the power of the word is to be extolled above all the power of Princes, and to be brought under subjection to the same.

The words of the second Printed Act cited, or the third unprinted (so farre as concerneth the purpose of the Letter) we find to be thus: That none of his Lieges, nor Subjects presume or take upon hand to impugn the dignity and the Authority of the said three Estates, or to seeke or procure the innovation or diminution of the Power and Authority of the same three estates or any if them in time coming, under the paine of Treason. These words we humbly conceive as they relate to the constitution of Parliament made of the three Estates and to the Authority thereof, being in that manner constituted, not to the obedience of their particular Acts, so if they be urged and pressed according to the meaning and intention of the Act before declared, they will conclude under Treason all who impugn the Power and Authority of Bishops, Abbots and Priors as the third Estate of Parliament.

To the conclusion of the Letter wee shall need to say but little, having already in other papers expressed our selves fully, concerning the unsatisfactorines of their Lordships Declaration, and the unlawfulnessse of the present engagement; Which although it bee pretended to be the same cause for which this Kingdome hath don and suffered so much, yet if it be remembered that the Kirks desires for the point of Religion are not granted, that the wel-affected who were most zealous in the cause from the beginning are generally against this engagement, that it is carried on, by such as were for the most part disaffected to the Cause in the beginning, and were against the former expeditions; that the Publick affaires are intrusted into many new hands, such as we cannot be confident of: These and the like considerations will quickly make it appear that the cause

is not the same, but hugely different from what it was, and that the same grounds and principles which made us Active in furthering the former expeditions, hinder us from furthering this.

A. Ker.

Edinb. 10. Junii 1648.

*The Humble Advice and Petition of the Commissioners of the Generall Assembly,
To the Honourable Estates of Parliament.*

While wee were about preparing of our thoughts concerning the unsatisfactorinesse of a paper communicated unto us from your Lordships upon *Wednesday*, being a draught of an Answer from the Parliament to the severall Petitions of Presbyteries, Synods and Shires tendered to them: There was a motion made unto us from your Lordships by the Lord Ley and the Lord of *Armstrong*, to wave a particular return unto that Paper, seeing it was not to be looked upon as the sense or mind of the Parliament, in respect that before the Parliament had taken it into debate or consideration, they did think fit to communicate it to this Commission; and withall to desire that the Commissioners would be pleased to tender unto the Parliament their advise, concerning the security of Religion in answer to the severall Petitions presented to the Parliament of late from Synods, Presbyteries and Shires: Unto which motion we make this humble returne.

For the first part of the motion; We are resolved to lay aside the consideration of that Paper, and to make no Representation of our thoughts thereupon, if your Lordships be pleased to make no further use thereof.

As for the other part of the motion, calling for our advise concerning an Answer to the Petitions presented from severall Shires, Presbyteries and Synods unto the Parliament: Although we humbly conceive, your Honours may clearly perceive what is our judgment by our Papers presented to your Lordships from time to time; yet being required we shall againe faithfully and freely tender this our humble advise.

Wee call to record the searcher of all hearts, the Judge of the world, that our not concurring with your Lordships proceedings hitherto, hath not flowed from want of zeal against Sectaries, for the suppression of whom, and for the advancement of the work of Reformation, we are ready to hazard all in a lawfull way; Nor from any remissenesse in that which concernes his Majesties true Honour and happinesse, and the preservation of Monarchical Government

vernment in him and his posterity, nor from any want of tender-
 nesse of the priviledges of Parliament; nor from want of Simpa-
 thie with our afflicted and oppressed Brethren in *England*; nor from
 partiall or sinister respect to any party or person whatsoever
 within the Kingdome; But from meer tenderneffe in point of secu-
 rity of Religion, and the Union between the Kingdoms, and from
 the unsatisfactorinesse of the grounds of your Lordships Declarati-
 on, as hath beene expressed more at length in our Representation:
 Notwithstanding your Lordships, to our very great grieve, have
 proceeded to a Levie, whereby heavy burdens and pressures have
 been laid upon many faithfull Covenanters, most forward in all
 former expeditions, and averse from this, onely for want of satis-
 faction concerning the necessity and lawfullnesse thereof, promised
 in your Lordships late Declaration, but not as yet performed.

It is therefore our humble advice that the above-mentioned Peti-
 tions being so just in themselves, and flowing from the grounds
 aforesaid, as they ought in equity to have been granted, so they
 ought yet to be granted by the securing of Religion, staying the pre-
 sent Levy; and according to our former desires by essaying Treaties
 with *England*, applications to His Majesty, and all other faire and
 amicable wayes for removing the differences betweene the King-
 domes, before sending any forces to *England* or any other way of
 engagement in War. And least the taking of *Barwicke* and *Carlisle*
 (which is so scandalous to this Nation) bee looked upon by *England*
 as a breach of Union on your part: That your Lordships would be
 pleased to make it appeare, that neither the Parliament, or any of
 your number have had any accession to the surprisall or supplying
 of these Townes, nor shall we have any correspondence or comply-
 ance with those who have been actors therein.

We doe also conceive it necessary for satisfaction of the Petition-
 ers, That his Majesties late Concessions and offers concerning Re-
 ligion may by your Lordships directly and positively be declared
 unsatisfactory to this present Parliament.

That although we would not be understood, as if we have had, or
 have, any thoughts of declining the restoring of his Majesty to the
 same condition hee was in, by the agreement of both Kingdomes
 when he was taken away by a party of the Army under Sir *T. Fairfax*,
 that both Kingdomes, may freely make their Applications to him;
 yet your Lordships would be pleased to Declare, That there shall
 be no engagement for restoring his Majesty to one of his houses with

Honour

Honour freedom and safety (which doth amount to no lesse then the restitution of his Majesty to the exercise of his Royal power, for thereasons holden forth in our late Representation never yet answered) before security and assurance be had from his Majesty by his solemn Oath under his hand and seal, That he shall for himself and his successors, consent and agree to Acts of Parliament, injoyning the League and Covenant and fully establishing Presbyterian Government, Directory of Worship, and confession of Faith in all his Majesties Dominions; and that his Majesty shall never make opposition to any of these, or endeavour any change thereof.

That your Lordships will make it appear that you mean to be far from interestting your selves in any quarrell for his Maj. that may put into his Majesties hands such power, as may not only bring the by-gon proceedings of both Kingd. in the League and Covenant in question, but also for the time to come make void all the authority of Parl. though proceeding never so rightly in reference to Religion and Liberties of the Kingdomes.

That a clear and direct course be laid down and declared not only not to associate nor joyn in Councils or Forces with the Popish, Prelaticall or Malignant party, but also to oppose and effectually indeavour to suppress all such of them as have already risen or shal hereafter rise in Arms upon whatsoever pretence, as enemies to the Cause and Covenant on the one hand; as well as Sectaries on the other.

That nothing be don in carrying on the engagement, which may break the union of the Kingdomes, or may discourage or dis-oblige the Presbyterian party in *England*.

Because it is our grief, and the grief of all the well-affected, that those who have been of constant and approved integrity in the Cause and have been very instrumentall under God for our deliverance, should be forced for want of satisfaction to their consciences to leave the service; and that others who have not given constant proofe of their integrity and faithfullnesse, and against whom there is just cause of exception and jealousy, so that we cannot exhort our flocks to be confident of their fidelity; yea, and divers that have been in reall opposition to the Cause, are entrusted with the managing of your Lordships publik resolutions: That therefore your Lordships will be pleased in your wisdom to provide a timely remedy herein. That there be no Engagement, without a Solemn Oath, wherein the Kirk may have the same interest which they had in the solemn League and Covenant the Cause being the same.

As we doe humbly insist with your Lordships for satisfaction to our

former desires expressed in our former papers, so it is our humble petition to your Lordships, That in such things as have beene ordained by your Lordships, and put in execution by your Order, contrary to some of these desires, some effectuall remedy may be found out by your Lordships wisdom and goodnesse for the helpe thereof; That all who since the beginning of this Levie, through tenderesse of conscience, have suffered any wayes, may be repaired, all unusuall and grievous courses impoverishing good people and utterly disabling them to subsist, may be hereafter avoided: and the intolerable insolency, prophanenesse, blasphemies, and manifold outrages that of late have appeared in the Souldiers, may be severely punished and repressed; That no Ordinance nor Order may issue from your Lordships in prejudice of the liberties of the Kirke, and of the free exercise of any part of the Ministeriall calling, all which they have from Jesus Christ the onely Head and Law-giver in his Kirke, and which your Lordships are obliged by solemn oath in our Covenants to maintaine: And that as it is our grieve, that whilst your Lordships have been seeking our advice, you have been and are making grievous Acts, as we are informed: so we desire your Lordships in the feare of God to be wary of making or maintaining such Acts; and namely, That you put not the power of arbitrary Government in the hands of any intrusted by your Lordships, nor ordaine any Oaths to be imposed or exacted, that may be snares to mens consciences.

All which we seriously recommend to your Lordships, as you desire not to provoke against your selves and your posterity the wrath of the most High God, and that the Lord should not averge the quarrell of a broken Covenant upon the Parliament and Kingdome of Scotland. But if your Lordships shall be pleased to hearken to our humble advice, and to satisfie the consciences of the well-affected in the Kingdome to the worke of Reformation, by granting their just desire; Your Honours shall be blessed of God, the Lord of the whole earth; the people of God shall bless you in the name of the Lord, and bless the Lord for you; You shall binde up the wounds of this distressed and distracted Kingdome, endear the affections of the well-affected, disappoint the designs of the disaffected, and your Names shall be a praise unto the present and succeeding generations: And wee shall powre out supplications before him who sitteth and judgeth among Gods, to endue your Lordships with the Spirit of counsell and of the feare of his Name; that your Resolutions may be rightly ordered and tend to his glory, the security of Religion, the honour and happinesse of the King and his posterity, and the peace and safety of the Kingdomes.

A. K E R.

